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CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION

Second Periodic Reports of States parties

Addendum

SWEDEN

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Introduction

Swedish equal opportunities policy is fundamentally concerned with the ability of each individual to achieve economic independence through gainful employment. This also means that it must be possible for everybody, regardless of sex, to develop and participate in all aspects of community life, according to his or her capabilities. There is basic agreement on the principle of equality between men and women in Sweden. This principle is also incorporated in the Constitution.

During the International Women's Decade 1975 - 1985, the transformation of living patterns in Sweden, which began in the 1960s, was accelerated. The roles of men and women have converged. Nowadays practically all adults are included in the labour force. In 1975 just over half of all women aged 16-64 were so included; the corresponding figure for 1985 was 82 %. This means that even during their children's infancy, Swedish women show almost the same employment-participation rate as men.

This development towards equality has been made possible by a substantial demand for labour, which has been mainly due to the expansion of the public sector; consistently pursued reforms in the field of economic, social and family policy have also been a contributory factor. The introduction of separate taxation for husbands and wives, and amendments to matrimonial legislation that clearly uphold the economic independence of all adults, have done much to transform attitudes concerning the traditional roles of men and women. These reforms have in turn generated other changes, for instance the expansion of child-care facilities and parental insurance, which have been important preconditions for the combination of gainful employment and parenthood.

In the work of reform in Sweden in this sense, the women's organizations - both political and independent ones - have played a vital role. They have acted both as pressure groups and as important sources of recruitment for political assignments, etc.

Sweden has made considerable progress in the field of equal opportunities, the most important outcome being that women have consolidated their position on the labour market. However, there is no gainsaying that women and men still live on very different terms. Women are employed in a more restricted sector of the labour market than men and in less well paid occupations. Sweden has a distinctively sex-segregated labour market. Not only individual workplaces but entire sectors of the economy are completely dominated by one or other of the sexes. While only one out of every five industrial workers is a woman, the opposite is the case in the local-government sector. About half of all the gainfully employed women work for central and local authorities - often in jobs concerned with community care, welfare and services. Women and men also have different hours of work. Since women are more widely employed part time, men on average put in about nine hours more paid work each week than women. This affects women's total earnings and their chances for continuing education and promotion. Women, too, in spite of being gainfully employed, still do most of the work of the home and assume most of the responsibility for caring for the children.

In the educational sector, too, there is a division between boys and girls. Although educational opportunities are the same for boys and girls, the latter often choose occupations in traditionally female sectors.

A number of public bodies and private organizations in Sweden, each in its different field, are actively pursuing the objective of equality. It has also been made a guiding principle for government policy in Sweden. Questions concerning equality at government level are the province of the Ministry of Labour, which is headed by the Minister of Labour who is also responsible for equality affairs. At the Ministry there is a special Equality-Affairs Division.

Government policy for the promotion of equality between men and women spans over all fields. There are, however, certain areas where special efforts are being made; for instance, to improve the conditions for women on the labour market, to encourage men to play a more active part in caring for their home and children and to strengthen the representation of women in decision-making and advisory bodies. Special attention is also being paid to the situation of immigrant women in Sweden.

The promotion of equal opportunities at government level

All government ministers are required to pay regard to aspects concerning equality between the sexes in the fields for which they are responsible.

Since the 1970s Sweden has had a Minister with special responsibility for equality affairs. This function is now exercised by the Minister of Labour, Anna-Greta Leijon.

The Equality-Affairs Division at the Ministry of Labour is concerned with preparing government decisions relating to equality and co-ordinates these questions with the other ministries. This Division is also responsible for certain equality activities, for instance the launching of various projects throughout the country aimed at improving the conditions of women on the labour market. Various projects concerning the role of men are also being initiated.

The Council on Equality Issues, which is an advisory body to the Minister, represents political interests and public bodies. The twenty-four bodies represented include women's organizations, the political parties, and the employer and employee organizations. The Council meets four times a year to exchange information and discuss current equality questions.

The Inter-Ministerial Committee is a co-ordinating body between the ministries, its members being drawn from all of them. This Committee assists the Ministry of Labour in its co-ordination of equal-opportunities matters at ministry level, for instance during the drawing up of the annual national budget.

The Commission for Research on Equality between Men and Women was set up in 1983 in order to initiate and oversee research in this field and to identify research needs. It has also been charged to watch over conditions for women researchers and to make research findings known and available to policy-makers, planners and other interested parties. The Commission, which comes under the Ministry of Labour, is composed both of academics from various disciplines and of politicians from the five parliamentary parties.

The Office of the Equal Opportunities Ombudsman is an independent agency, which comes financially under the Ministry of Labour. This agency was set up when the Act on Equality between Women and Men at Work (the Equal Opportunities Act) came into force on 1 July 1980. Although this agency's main function is to ensure that the Act is complied with, the Ombudsman also participates, by disseminating information and in other ways, in the efforts to promote equality between men and women in working life.

The Equal Opportunities Commission is a special body which, pursuant to the above Act (Section 6) and at the request of the Equal Opportunities Ombudsman, can order an employer to take specific measures to promote equality between the sexes at work-places.

Not only the Government, but also a number of popular movements, municipal and other bodies, and private organizations, are working actively to promote equality in Sweden. Their endeavours will be described in the following under each Article in the Convention.

Equality-promoting measures in Sweden - some milestones

1846	Widows and divorced or unmarried women are allowed to work in crafts and certain forms of trade.
1858	Unmarried women over 25 can now be declared, by court order, legally competent to manage their own affairs. Marriage entails renewed legal disability.
1859	Women become eligible for certain teaching appointments.
1873	Women become entitled to take university degrees, with certain exceptions (theology and higher law degrees).
1874	Unmarried women become legally competent at 21.
1921	Women acquire the right to vote in general elections and become eligible to stand for election.
1921	Married women become legally competent at 21. The new Marriage Code treats husband and wife as equals.
1923	Women become eligible for central-government appointments.
1927	Girls are admitted to public secondary schools.
1937	Maternity benefits introduced.
1938	Contraception becomes legal.
1939	No woman may be dismissed from a government appointment on account of pregnancy, childbirth or marriage.
1947	Equal pay for governmental employees doing identical work.
1951	Widows can become their own children's legal guardian.
1958	Women admitted to the priesthood.
1971	Separate taxation of the earned incomes of husband and wife.
1974	Introduction of parental insurance, which entitles parents to share leave of absence in connection with childbirth.

1975	New abortion legislation entitles a woman to decide for herself up to and including the 18th week of pregnancy.
1976	Ordinance on Equal Opportunities in the Central Government Service.
1977	Equal opportunities agreement between, on the one hand, the Swedish Employers' Confederation and, on the other, the Swedish Trade Union Confederation and the Federation of Salaried Employees in Industry and Services (the main organizations of manual and salaried employees in the private sector).
1979	Parents of infants become entitled to a six-hour working day.
1980	The Act on Equality between Women and Men at Work is passed ("the Equal Opportunities Act").
1981	Assault and battery on private premises, e.g. in the home, is made subject to public prosecution even though the plaintiff may not have made a formal complaint.
1982	Qualifying "points" granted in the supplementary pensions scheme for the care of children at home.
1982	Ban on "live sex shows" in public places.
1983	All occupations opened to women, including the defence forces.
1984	Agreement on Equal opportunities for the central government sector.

PART I

Article 1

> For the purposes of the present Convention, the term "discrimination against women" shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

Reference should be made to the Introduction to this report and to the comments under Article 2, sub-paragraphs (a) and (b).

Article 2

> States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women ...

Before a description of the implementation by Sweden of each of the sub-paragraphs under Article 2, a short introductory account will be given of the general legal framework within which discrimination against women is prohibited in Sweden and of the background to existing law in this field.

General characteristics of Swedish law

In Sweden international treaty law is not automatically a part of domestic law. Therefore a Convention cannot be directly invoked by Swedish women or enforced by Swedish courts of law. If a Convention is to be implemented, Swedish law must be adapted, where necessary, to the provisions of its Articles.

There is a great difference between Swedish law and, for instance, Anglo-American law. To a considerable extent Swedish legislation is based on written law with case law playing a minor, though not unimportant, role.

A major source of legal protection against discrimination on the basis of sex is to be found in the Instrument of Government, which forms part of the Swedish Constitution. (see below under Article 2, sub-paragraph (a)).

The provisions under the present Article are however mainly implemented through the Act on Equality Between Women and Men at Work, which entered into force on 1 July 1980. The purpose of this Act is to promote equality between women and men with respect to employment, conditions of employment and opportunities for development at work. This Act (generally known as the Equal Opportunities Act) prohibits discrimination on grounds of sex, and prescribes that employers shall consciously make active efforts to promote equality between women and men at work.

Legislation as a means of eliminating discrimination against women was much discussed in Sweden throughout the 1970s. In 1976 the Parliamentary Committee on Equality between Men and Women (see also Article 3) was instructed to carry out an open-ended inquiry into the feasibility of legislation to abolish sexual discrimination. In 1978 this Committee presented a report entitled "Equality at Work", which contained a draft statute. The latter included certain provisions prohibiting sex discrimination and others prescribing active measures for the promotion of equal opportunities. After being considered by Parliament, the draft statute ("the Equal Opportunities Act") was approved and entered into force on 1 July 1980. Two new national agencies, the Office of the Equal Opportunities Ombudsman and the Equal Opportunities Commission, were set up at the same time.

All Swedish legislation aimed at strengthening equality between the sexes has been framed so as to apply to both men and women. However, there is no denying that in Sweden today there are primarily grounds for endeavouring to improve the position of women. This endeavour is based ultimately on the view that men and women shall have the same rights and obligations. Both rules now applicable in the Constitution, and the provisions of the Equal Opportunities Act have been framed so as to express this fundamental evaluation.

Article 2

States Parties ... undertake:

> 2 (a) To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle:

The Swedish Constitution

The Instrument of Government, which forms part of the Constitution, contains two provisions concerning the principle of equality between the sexes. These provisions came into effect on 1 January 1977. Chapter 1, Article 2, is worded as follows:

> Public power shall be exercised with respect for the equality of all human beings and for the freedom and dignity of the individual.
>
> The personal, economic and cultural welfare of the individual shall be the fundamental aim of the activities of the community. In particular, it shall be incumbent upon the community to secure the right to work, to housing and to education and to promote social care and security as well as a favourable living environment.
>
> The community shall ensure that the ideas of democracy shall be guidelines in all sectors of the nation. The community shall guarantee equal rights to men and women and shall protect the private life and family of the individual.
>
> The possibility for ethnic, linguistic or religious minorities to preserve and develop a cultural and social life of their own should be promoted.

Chapter 2, Article 16, of the Instrument of Government is worded as follows:

> No law or other decree may imply the discrimination of any citizen on account of his sex, unless the relevant provision forms part of efforts to bring about equality between men and women or concerns compulsory military service or any corresponding national service.

These provisions may be invoked to override laws and administrative practices which conflict with the principles laid down above. Like the other provisions of the Constitution, they have - over and above their purely judicial effect - a significant function in that they help to form public opinion.

The provisions of Chapter 1, Article 2, lay down an objective. What are prescribed are especially important principles to govern the orientation of the activities of the community. No explicit definition of the term "equal rights for men and women" is given in the Instrument of Government. The explanatory memorandum preceding the Instrument speaks, for instance, of "efforts to ensure that the conditions under which women and men live are equivalent" and that "men and women shall have the same rights and obligations". It is stated, furthermore, that it is self-evident that the bodies applying the law shall deal with equal cases equally, that is not make any difference between individuals beyond what may ensue from the legal rules in force. It is pointed out that distinctive legislation is an inevitable element in the judicial system. For instance, it is stated that a person's sex is a decisive criterium in the applicability of the legislation on compulsory military service.

The aim of the provisions of Chapter 2, Article 16, is to entrench the efforts to obtain equality as firmly as possible in the Constitution. As will be apparent from what was said above under the first few lines of Article 2, the rule has intentionally not been biased in favour of the one or the other sex. For this reason, it has been deemed necessary in the provision explicitly to permit rules which admittedly, seen in isolation, are unfair to one of the sexes but which aim, in the long term, to bring about equality between them. The aim of such provisions must, however, be to bring about equality between women and men.

Other legislation

Major changes were introduced in Swedish family law in 1921. Women were then made fully entitled to decide matters relating to their own property. The legislation was also intended to protect the financially weaker party in the event of divorce or death. The aim of later changes, chiefly in the 1970s, has been to put women and men on an equal footing in marriage. The objective of certain other statutes such as the Code relating to Parents, Guardianship and Children, the Child-Care Leave Act and certain parts of the National Insurance Act, which will be taken up in great detail under Article 4, is to lay the foundation of shared responsibility for the home and children.

The Compulsory School Curriculum of 1980 and other statutes in the school sector have been worded so as to include provisions expressly requiring local school authorities to ensure that teaching is permeated by the principle of equality between women and men. These statutes will be discussed more fully under Article 10.

The main statute governing the practical realization of the principle of the equality of women and men is restricted to working life. The purpose of the Equal Opportunities Act, which was mentioned above, is to promote equal rights for women and men in respect of employment, working conditions and opportunities for development at work.

Article 2

States Parties ... undertake:

> 2 (b) To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;

The discrimination of women is not an offence in Sweden. A provision in Chapter 16, Article 9 in the Swedish Penal Code, which is based on the UN Convention on the Elimination of All Forms of Racial Discrimination, prohibits discrimination (in certain cases) on the grounds of anyone's race, colour, national or ethnic origin or religious creed. The question of extending the scope of the protected grounds to comprise discrimination on the grounds of sex, too, has been discussed in various contexts, including parliamentary debates. The Equal Opportunities Ombudsman has also proposed such an addition to this provision.

In recent years much attention has been paid to criminal offences which, in general, are committed by men against women such as domestic violence and various sexual offences. Questions concerning these offences will be taken up in more detail under Article 6.

The purpose of the above-mentioned Equal Opportunities Act is to give women and men the same rights and chances in working life. In its wording the Act is not biased in favour of either sex; however, it is stated in the explanatory memorandum preceding the Act that its primary objective is to strengthen the position of women on the labour market. The Act consists of two main parts which, together, form an entity. One part contains rules prohibiting an employer from treating anyone unfairly because of his or her sex. The other main part, which will be described under Article 2, sub-paragraphs (d) and (e), makes it incumbent on an employer to take active steps to promote equality at work.

The first part of the Act lays down the following:

> Prohibition of discrimination on the ground of sex
>
> Section 2
>
> An employer shall not discriminate against an employee or job applicant on the ground of her or his sex.
>
> Section 3
>
> Discrimination on the ground of sex shall be considered to exist where an employer, when appointing, promoting or training a person for promotion, chooses one person in preference to another of the opposite sex despite the fact that the disadvantaged person is objectively better qualified for the job or training. This does not apply, however, if the employer can show that the decision was not founded on the person's sex, that it constituted part of a conscious effort to promote equality at work or that it was justified having regard to some ideological or other special interest which should not be subordinated to that of equality at work.

Section 4

Discrimination on the ground of sex shall also be considered to exist where an employer:

1. applies to an employee less favourable terms of employment than those applied by that employer to an employee of the opposite sex where the work they perform is to be regarded as equal on the basis of a collective agreement or established practice within the branch of activity, or as equivalent according to an agreed job evaluation, unless the employer can show that any discrepancy in the terms of employment is due to differences in the employee's objective qualifications for the job or that such discrepancy is anyway not due to the employee's sex;

2. manages and distributes the work in such a way that an employee is manifestly treated less favourably than an employee of the opposite sex unless the employer can show that such treatment is not due to the employee's sex or that there are grounds of the nature specified in paragraph two of Section 3;

3. terminates a contract of employment, transfers, lays off, dismisses or takes any other comparable action detrimental to an employee if such action is due to the employee's sex.

Section 5

Any contract or agreement shall be null and void to the extent that it provides for different treatment of women and men in respect of terms of employment or in any other way permits discrimination on the ground of sex as referred to in Sections 3 and 4.

Particulars concerning qualifications

Section 5a

An applicant failing to obtain a position or an employee failing to obtain promotion or training for promotion is entitled to request and obtain written particulars from the employer concerning the nature and scope of the education, job experience and other comparable qualifications of the person of the opposite sex obtaining the job or training opportunity concerned.

The rules in the Act concerning the burden of proof differ to some degree from what is normal. As in the Swedish legislation which gives protection against infringements of the right of freedom of association, the burden of proof in court has been shared between the plaintiff and the defendant. Sections 3 and 4 in the Act indicate certain situations in which a presumption of sex discrimination pursuant to Section 2 must be held to exist. If an employee has been able to prove that such a situation has existed, the discrimination is confirmed unless the employer, in his or her turn, proves that the decision complained against has been based on objectively acceptable reasons of a kind such as are set out explicitly in Sections 3 and 4. A decision which seems to contravene Section 3 can also be acceptable if, in practice, it would have been impossible for a person of one of the sexes to carry out the work, for instance as an actor/actress or as a mannequin. On the other hand, the fact that, for instance, there are not enough changing-rooms at a place of work is not an acceptable reason for refusing to appoint people of both sexes for employment there.

There is no provision in the Act to render the discriminating decision invalid. On the other hand, a contract can be declared invalid and the employer be made liable for compensation pursuant to the following provision:

Section 8

> Where an employee suffers discrimination on the ground of her or his sex as the result of a clause in a contract concluded with the employer or of the employer terminating a contract or taking a similar legal act, that clause or legal act shall be declared invalid if the employee so requests.
>
> Should discrimination consist of an employer appointing, as specified in Section 3, one or more persons in preference to one or more persons of the opposite sex, the employer shall pay compensation to the person or persons suffering discrimination for the moral injury caused by the discrimination. Where several persons have suffered discrimination and claim compensation in such a case, compensation shall be determined as if only one person had suffered discrimination and be divided equally among them.
>
> Where an employee suffers discrimination as specified in Section 4, the employer shall pay her or him compensation for the loss sustained and for the moral injury caused by such discrimination.
>
> Where there are reasons for doing so, the compensation may be reduced or waived in its entirety.

Cases relating to the application of the provisions set forth above are referred to the Labour Court (see Article 2, sub-paragraph (c), under "Courts").

Article 2

States Parties ... undertake:

2 (c) To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;

A person who claims to have been a victim of sex discrimination does not have to refrain from action on economic grounds. An employee can, first and foremost, get help from his/her trade union. Job applicants and employees who are not union members, or who do not receive sufficient help from their union, can apply to the Equal Opportunities Ombudsman, whose services are free of charge.

The Office of the Equal Opportunities Ombudsman is a national agency financially accountable to the Ministry of Labour. The task of the Ombudsman, together with the Equal Opportunities Commission which was established at the same time, is to ensure compliance with the Equal Opportunities Act. The office of the Equal Opportunities Ombudsman was inaugurated on 1 July 1980, when the Act came into force.

In accordance with the Equal Opportunities Act and the Instructions for the Equal Opportunities Ombudsman, it is the duty of the Ombudsman:

- primarily to secure voluntary compliance with the provisions of the Act, by means of counselling and information, deliberations with individual parties and organizations, or other suitable measures.

- in disputes concerning infringements of the prohibition against discrimination, and when requested to do so, to provide such support as the Ombudsman finds justifiable for employees and job applicants who are not represented by a trade union, and to institute proceedings in the Labour Court when the Ombudsman finds that the dispute raises an important issue of precedent.

- spontaneously, or in response to complaints, to raise questions concerning neglect by employers who are not bound by collective agreements on equality between men and women to comply with the provisions of the Act regarding active measures for the promotion of equal opportunities and, when the Ombudsman finds that results cannot be achieved by voluntary agreement, to apply to the Equal Opportunities Commission for a penal injunction.

- to inform the general public and to participate in other suitable ways in efforts to promote equality between women and men at work.

The Office of the Equal Opportunities Ombudsman has a staff of seven: the Ombudsman, the Deputy Ombudsman, four administrative officers and one clerical officer. One administrative officer investigates discrimination cases, one investigates matters relating to employers' active work to promote equal opportunities, one acts as an information officer and one deals with personnel and budget matters. Project staff assist the permanent staff in conjunction with various studies and investigations.

The Equal Opportunities Ombudsman received a total of 318 reports concerning sex discrimination during the 1982-85 period. Most of the reports came from women; on average, 10 % of the reports were made by men. The reports mainly concerned sex discrimination in connection with appointments or promotion. However, an increasing number of reports during the period concerned sex discrimination with respect to the supervision and allocation of work duties and to transfers, temporary dismissals and discharges. In the 1984/85 year reports about sexual harassment were received for the first time. The question of sexual harassment in workplaces will be commented on under Article 11, sub-paragraph (f).

During the above period the Equal Opportunities Ombudsman submitted 17 writs of summons to the Labour Court (see below under Courts). Six of the sex discrimination cases instituted by the Ombudsman were tried by the Court during the period. During the same period the Labour Court passed decisions in four other cases based on the Equal Opportunities Act where actions had been brought by trade unions, and one such case in which a private individual had first brought an action in a district court and then appealed to the Labour Court. The Court judged in the Ombudsman's favour in three cases. All the other suits were dismissed by the Court.

A weakness in the Equal Opportunities Act appeared at an early stage in that the majority of the reports concerned public sector employers. The fact that it is difficult for a job applicant to compare merit ratings was assumed to be one of the reasons why so few reports were received from the private sector. At the Ombudsman's initiative the Act was amended by the addition of Section 5 (a), to which reference was made above, so as to overcome this problem (see paragraph 3 of the comments to Article 2, sub-paragraph (b)).

Protection against harassment

In 1982 the Equal Opportunities Ombudsman requested that a provision be added to the Equal Opportunities Act to protect against harassment persons who file a complaint about sex discrimination.

The Government considered the time was not yet ripe for such an amendment, but it has later allocated funds to the Ombudsman for a study of harassment at workplaces on account of a person's sex. A questionnaire was sent to people who have reported cases of sex discrimination to clarify this problem. This showed that a relatively large number of those who had made such reports felt that this had led to unpleasant consequences at their place of work. In December 1986, the Ombudsman therefore renewed her request for an amendment to the Act. The second part of the study of harassment in workplaces will be issued in 1987. It will deal with the question of sexual harassment (see further details under Article 11, sub-paragraph (f)).

Court cases

An account will follow below of two actions brought by the Equal Opportunities Ombudsman in the Labour Court.

1. Equal Opportunities Ombudsman versus the State pp the National Police Board

Before the start of each calendar year police officers who are interested in temporary positions as police inspectors in a police district in Gothenburg can volunteer to be put on a list for these positions. Police constable Gunilla volunteered for such a temporary position in both 1982 and 1983. The head of the police district decided, however, after consulting the union representatives, not to put her name on the list in question.

The Equal Opportunities Ombudsman: The employer's judgment has been influenced by prejudice about the suitability of women acting as police inspectors on active duty. His decision constitutes discrimination on grounds of sex as referred to in Section 4, point 2, of the Equal Opportunities Act. A claim for damages of SEK 15 000 is made on behalf of Gunilla.

National Police Board: We dispute the claim. The decision was based on the judgment that Gunilla was unsuitable for service as a police inspector on active duty.

Grounds for the decision of the Labour Court: The investigation in this case indicates that Gunilla would today have had a position as police inspector if she had been able to serve as a temporary in 1982 and 1983 and had received favourable testimonies. The employer's decision is for this reason, among others, of such major importance from the employee's point of view that it constitutes discrimination on grounds of sex under the provision of the Equal Opportunities Act referred to.

In addition to this, however, it must be shown that Gunilla has been unfairly treated in comparison with an employee of the opposite sex. Those who have given evidence in the case, and who have had the opportunity to observe Gunilla's work at close quarters, have all declared that she has given no reason for reproach. The Court is therefore doubtful as to whether the employer's decisions really constitute fair treatment of Gunilla.

The investigation in this case shows that there are a number of policemen in the police district with a negative attitude to police-women on active duty. The possibility cannot be ruled out that at least some of the reports on Gunilla which were submitted to the head of the police district may have been influenced by this negative attitude to policewomen. According to one female police constable who has given evidence, the head of the police district has made certain comments which suggest a negative attitude to policewomen.

In view of these and other circumstances the Labour Court considers that the employer's decision was influenced by a negative attitude to policewomen on active duty. The Court draws the conclusion that the officer concerned has, whether consciously or unconsciously, demanded more of Gunilla than other candidates and therefore taken the unusual measure of not putting her on the list of those seeking the temporary positions. The State has thus incurred liability in accordance with the Equal Opportunities Act and must pay Gunilla damages for the grievance caused by this discrimination.

By decision of the Labour Court the State was charged to pay Gunilla public damages in the amount of SEK 15 000. The judgment was unanimous.

2. Equal Opportunities Ombudsman versus the Municipality of Lessebo

In October 1982, the municipality advertised a new appointment as Personnel Manager. There were 17 applicants for the appointment, among others Jan-Erik and Solveig. In January 1983, the Personnel Committee of the Municipal Executive Board decided to appoint Jan-Erik.

Equal Opportunities Ombudsman: Solveig has better objective qualifications for the job of Personnel Manager than Jan-Erik. The municipality has, by its decision, incurred liability for sex discrimination. The Equal Opportunities Ombudsman petitions that Gunilla be paid SEK 20 000 in public damages for breach of the Equal Opportunities Act.

Municipality of Lessebo: We dispute the claim. Jan-Erik has better objective qualifications for the job.

Labour Court: The advertisement for the appointment stated that suitable qualificatons for the job were a university degree or some other academic education which could be considered equivalent. The Labour Court accepted the municipality's view on this point that the intention was not to make it a sine qua non that applicants should have higher academic education.

The Court then discussed the matter of the necessary qualifications for job of Personnel Manager. The differences of opinion between the parties mainly concerned the importance to be attached to familiarity with negotiations and to a knowledge of labour legislation. In the advertisement, which contained a quite detailed description of the duties involved, no mention was made either of negotiations or labour legislation. In view of this the Labour Court decided that the municipality had not been able to corroborate the fact that familiarity with negotiations and knowledge of labour legislation were of such decisive importance in this matter as the municipality had claimed.

As regards the actual merit rating, the Court found that Solveig was clearly better qualified. It therefore decided that Solveig had better objective qualifications for the job than Jan-Erik. The municipality had therefore been guilty of a breach of the prohibition against sex discrimination contained in Sections 2 and 3 of the Equal Opportunities Act.

By decision of the Labour Court the State was charged to pay Solveig public damages in the amount of SEK 20 000. The decision was unanimous.

Courts

Section 11 of the Equal Opportunities Act lays down that disputes concerning infringements of the prohibition against discrimination are to be treated as labour disputes under the Act on Litigation in Labour Disputes. This means inter alia that the Labour Court is the sole tribunal competent to deal with actions brought by a trade union or the Equal Opportunities Ombudsman. The Labour Court normally consists of seven members, of which two are legally trained judges, one is an expert on labour market matters, two are representatives of employers' organizations and two of employees' organizations. Actions brought by private individuals claiming to have suffered discrimination on grounds of sex are tried in an ordinary district court. Following appeals against the decisions of district courts, such cases are referred to the Labour Court in the final instance. The Labour Court also tries cases concerning infringements of collective agreements relating to equal opportunity.

The Equal Opportunities Ombudsman has expressed dissatisfaction with the composition of the courts in disputes concerning discrimination and has demanded that the Act be amended so as to make it impossible for such disputes to be tried by a court with only male or female members. This request has not been granted. But efforts have been made to increase the number of female members of the Labour Court. The members of the Labour Court include legally trained judges and representatives of the employer and employee organizations. Of a total of 79 permanent and non-permanent members the number of women, after 1 June 1986, is 15.

The following may be of interest regarding the other courts. The Swedish courts of general jurisdiction are the district courts, the courts of appeal and the Supreme Court. In February 1986, 606 of the permanent judges in these courts were men and 73 women. The situation is better among the younger judges who have not yet obtained permanent appointments. 37 % of the junior appellate judges at this time were women. There were 248 legally trained judges with permanent appointments in administrative courts in February 1986, and of them 33 were women.

In cases concerning the failure of employers who are not bound by collective agreements to comply with the provisions of Section 6 of the Act regarding active measures for the promotion of equal opportunities (see under Article 2, sub-paragraphs (d) and (e) for further details), actions are brought by the Equal Opportunities Ombudsman. If necessary, the Ombudsman can bring the matter before the Equal Opportunities Commission, which can order an employer under penalty of a fine to take active measures for promotion of equal opportunities for men and women in accordance with the Act. The Equal Opportunities Commission consists of 11 members who are appointed by the Government. Eight of the members, including the chairman, are women. Six of the members are representatives of the labour market organizations, while two are labour market experts and two are experts on matters connected with equal opportunity. No case was brought before the Commission until recently (1987); this first case has not yet been settled. (See also under Article 2, sub-paragraph (e)).

Article 2

States Parties ... undertake:

> 2 (d) To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;

The provisions in the Swedish Constitution quoted above under Article 2, sub-paragraph (a), are the ultimate guarantee preventing a Swedish Government from engaging in discrimination of women by virtue of its own decisions.

With respect to government authorities and public institutions, the legislation against discrimination of women is primarily contained in the Equal Opportunities Act, the Equal Opportunities Ordinance and in collective agreements on equal opportunity in the government sector.

An account has been given above under Article 2, sub-paragraph (b), of the first part of the Equal Opportunities Act, which prohibits discrimination. The second part contains provisions in accordance with which it is the duty of employers to take active measures to promote equality between women and men at work. This applies of course not only to the public sector, but to the Swedish labour market as a whole.

The law provides as follows:

> Active measures to promote equality
>
> Section 6
>
> Within the framework of their business employers shall consciously engage in active efforts to promote equal opportunity at work.
>
> To this end employers shall take such measures as are necessary, with regard to their resources and circumstances in general, to ensure that working conditions are equally suited to women and men. Employers shall also endeavour to ensure that both women and men apply for vacant positions and, by training and other appropriate measures, promote an even balance between women and men in different types of work and in different staff categories.
>
> Where the balance between women and men at a workplace is, on the whole, uneven in a certain type of work or in a certain staff category, the employer shall make special efforts when recruiting new staff to obtain applications from the sex that is under-represented and endeavour to ensure that the proportion of employees of that sex is gradually increased. This shall not apply, however, if there are special considerations making such measures undesirable, or if they cannot reasonably be demanded of an employer with regard to his resources and circumstances in general.

The work of the Equal Opportunities Ombudsman with respect to active measures on the labour market will be described in further detail under Article 2, sub-paragraph (e).

Collective agreements at national federation level can override or supplement the statutory provisions concerning active measures.

An equal opportunities agreement for the government sector was concluded in 1984, and an agreement for state-owned enterprises in 1985. An agreement with municipalities and county councils was concluded in 1980.

The Equal Opportunities Ordinance, which was issued in 1976 and amended in 1986 with stricter provisions, imposes a duty on government authorities to submit annual plans for the promotion of equal opportunities and to account for the measures taken.

Under this Ordinance a government authority shall, when recruiting a large number of employees to a staff category or type of work where the balance between women and men is, on the whole, uneven, report this to the National Board for Government Employees. Consultations are then to take place regarding recruitment methods. The Ordinance also stipulates that when an authority is to appoint someone to a board or committee, it shall ensure that there is a choice between women and men.

For further discussion of the representation of women in government agencies and official committees etc., see under Article 7.

A steering committee was appointed in 1986 to observe developments with respect to equal opportunity in the civil service. The committee consists of representatives of some central authorities, the employer and employee organizations in the public sector and the Ministry of Labour and the Ministry of Public Administration. The committee's task is to co-ordinate efforts to promote equality between women and men in the public sector and to make proposals, primarily to the authorities concerned, but also to the Government. The first result of the work of the group is that the Government has appointed some authorities to be "intensive authorities", i.e. targets for special efforts in the area of equal opportunity. One object in these authorities is to define concrete goals for the balance of women and men in various occupational groups, administrative divisions and position levels etc. These authorities are also to prepare special equal opportunity plans, including recruitment and training plans and the like. This project will extend over three years. It is as yet too early to report any results.

As was mentioned earlier, one of the principles of Swedish legislation is that neither Acts nor other statutory instruments are to allow discrimination of an individual on the grounds of sex, unless a particular provision is intended to advance the achievement of equality between women and men. This can be inferred from Chapter 2, Section 16, of the Instrument of Government.

With respect to appointments paid in accordance with government pay-scales it is laid down in Chapter 11, Section 9 (2), of the above Instrument that only objective grounds, such as merit and proficiency, are to be taken into consideration when making appointments in the government sector.

During recent years efforts to promote greater equality between women and men have in practice come to be accepted as objective grounds in the meaning of the Instrument of Government. In this connection the Government considers the aspect of equality both in its capacity as appointing authority and as the authority of appeal. In practice, the interests of equality may override the difference in merit or proficiency existing between applicants of different sexes whose qualifications are more or less, though not completely, equivalent. The Government does not, however, state reasons for its decisions in matters concerning appointments. Nevertheless, it may be noted that in a number of Government decisions, preference has been given to the underrepresented sex when applicants' qualifications have been equal or practically equal.

Article 2

States Parties ... undertake:

> 2 (e) To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;

The remarks made earlier on the Constitution and the Equal Opportunities Act are also applicable to the private sector of the Swedish labour market.

A more detailed description will now follow of the Equal Opportunities Ombudsman's work on active measures to promote equality.

During the years 1982-85 the Equal Opportunities Ombudsman received 152 reports concerning shortcomings in the measures taken by employers to promote equal opportunity. During the same period the Equal Opportunities Ombudsman reported 73 cases on her own initiative.

A case concerning active measures by an employer often begins with a report of an advertisement for a vacancy addressed solely to applicants of one sex. The Ombudsman contacts the employer and explains the provisions of Section 6 of the Equal Opportunities Act. In some cases, reports are referred to the relevant trade union for further action.

The Ombudsman is entitled to demand such information about the measures taken by the employer as is necessary for an effective study. If the employer refuses to give the information demanded, the Ombudsman can enjoin him/her to give it under penalty of a fine. The employer can lodge an appeal against such an injunction with the Equal Opportunities Commission.

Sometimes the Ombudsman visits companies to provide information about the Equal Opportunities Act and to have discussions concerning problems connected with these matters, for the purpose of finding suitable means of improving the balance between women and men within the company. The discussions which take place in the course of these visits generally result in some kind of agreement concerning active measures to be taken by the employer, e.g. an equal opportunity plan for the coming year, revision of recruitment routines or provision of changing facilities for both sexes. The Ombudsman supplies a special form for the equal opportunity plan. The agreement with the employer usually provides that a copy of the plan is to be sent to the Ombudsman, so as to make it possible to keep track of the subsequent promotion of equal opportunity within the company.

The Standing Instructions lay down that the Ombudsman shall primarily seek to secure voluntary compliance with the provisions of the Equal Opportunities Act. An employer who complies neither with the provisions of Section 6 of the Act, nor with the observations made by the Ombudsman, can be ordered under penalty of a fine to discharge his/her obligations. Such penal injunctions are issued by the Equal Opportunities Commission in response to applications by the Ombudsman. During the period mentioned above there was not one single case where the Ombudsman had to apply to the Commission for an injunction concerning these measures. The mere threat of an application to the Commission has proved to be quite an effective means of exerting pressure. (A case has, however, been brought before the Commission in 1987).

Here follow some examples of studies carried out by the Equal Opportunities Ombudsman in the course of the work of promoting active measures:

Women in occupations involving violence

In response to reports received, the Ombudsman has conducted a survey of the situation of women in occupations where physical violence is liable to occur, e.g. the police, customs and prison services, and has found shortcomings with regard to the allocation of work between the sexes and the active promotion of equal opportunities.

The findings of this survey have been presented in a report entitled "Women and Occupations Involving Physical Violence".

The report notes that the problems encountered by women in occupations involving elements of physical violence or the threat of violence vary depending on whether women or men predominate in the occupation concerned. In predominantly male occupations, such as those of police officer or security guard, the view is often taken that violence must be responded to with some form of counterviolence. In occupations where women predominate, such as nursing and social work, the tendency is to dispel aggressions by non-violent means, by talking for example. The Ombudsman's report suggests different means of promoting equality between women and men in occupations where physical violence is liable to occur. Among the steps taken by the Ombudsman in following up this report are discussions with the relevant trade unions and agreements with the appropriate authorities concerning measures to be taken.

Computer technology

During her very first year of office the Ombudsman received several reports of shortcomings with respect to the promotion of equality between women and men in companies supplying computer equipment and information services. The Ombudsman therefore decided to investigate the balance between women and men in various occupations in such enterprises and the extent to which equality between women and men was taken into account in the computerization of various office routines. Two hearings took place with representatives of suppliers and buyers of computer systems, representatives of users and union representatives in companies and government authorities which had computerized their operations. In addition, a questionnaire survey was conducted on the distribution of work between women and men in about 600 enterprises in the field of office information etc., and also on the steps being taken in these workplaces to promote equality between women and men. The results, summarized in a report entitled "Office Automation and Equality between Women and Men", were rather discouraging. The balance between women and men in various occupations in the field of computer technology is as uneven as in technical occupations elsewhere in the labour market, despite the fact that computer technology is a comparatively new sector and despite the low average age of the employees. The Ombudsman suggested that the following measures be taken in companies manufacturing and selling new technology:

- studies should be made of the balance between women and men in various occupational categories at workplaces.

- a plan should then be drawn up stating specific objectives for changes in categories where there is a sexual bias, both in the long term and for the coming year, and specifying the measures to be taken, e.g.

- advertisements for vacancies specifying the sex of the applicants, such as: "Woman sales representative wanted."

- priority for applicants from the underrepresented sex in connection with recruitment and promotion (preferential treatment).
- job rotation.
- further training for personnel with routine duties.
- managerial/supervisory training with a greater element of equality between women and men.
- information to all employees concerning equality between women and men.

The Ombudsman also made some suggestions concerning points to be observed by companies installing new technology in connection with reorganization and rationalization.

The Ombudsman's form for the compilation of an equal opportunity plan includes proposals relating to recruitment, the work environment, training and education, conditions of pay and work, work organization, personnel development, leave of absence etc.

The report and the form have been forwarded to the computer companies already approached, as well as to another 500 information technology companies, as a follow-up of the Ombudsman's survey.

Equality in the banks

A study of equality between women and men in banks which was carried out by the Equal Opportunities Ombudsman showed shortcomings in this area too. The report on this survey and the Ombudsman's proposals which it contains have stimulated the debate on the work to promote equality between women and men.

Regional activities

For the purpose of getting ideas on how the work of promoting greater equality should be organized and carried out to achieve the desired results, what measures are worth implementing, the value of networks etc., the Equal Opportunities Ombudsman co-operated in a special project with a number of municipal, government and private sector workplaces in a Swedish municipality. A network of contacts was built up between the various workplaces for the purpose of exchanging experience and planning measures to promote equality between women and men. A report on this project will be circulated to all the municipalities in Sweden.

Collective agreements

As mentioned earlier, the rules in the Equal Opportunities Act relating to active measures for the promotion of equal opportunity can be supplemented or superseded by collective agreements at national confederation level.

In some sectors of the private sector labour market, collective agreements on equal opportunities existed before the Equal Opportunities Act came into force. The Swedish Employers' Confederation, on the one hand, and the Swedish Trade Union Confederation and the Federation of Salaried Employees in Industry and Services, on the other, concluded their first such agreement in 1977. This was revised and adjusted in conformity with the Equal Opportunities Act in 1983.

Clause 1 of this agreement defines the objectives as follows:

- that women and men should have equal opportunities for employment, training, promotion and development at work.
- that women and men should have equal pay for equal work and conditions of employment that are the same in other respects too.
- that workplaces, working methods, work organization and working conditions in general should be so arranged that they are suitable for women as well as men.
- that there should be a more even balance between women and men in occupations where choice of vocation and recruitment have shown themselves to be biased against one of the sexes.
- that it should be possible to combine gainful employment with parental responsibility.

Central agreements on equal opportunities now exist for practically the entire labour market. Special government grants are being paid to the trade unions to finance information and special training to facilitate implementation of these agreements is being provided. As part of this work special joint committees have been set up, both centrally and locally, by trade unions and employers for the promotion of equal opportunity.

Article 2

States Parties ... undertake:

2 (f) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;

No direct discrimination of women occurs in Swedish legislation. In the Ministry of Labour there exists an Equality Affairs Division, which has been referred to earlier. One of its tasks is to examine all the written material emanating from the Government to ensure that this material does not contain any provision that might have an adverse effect for women.

Article 2

States Parties ... undertake:

> 2 (g) To repeal all national penal provisions which constitute discrimination against women.

As mentioned in the preceding Swedish report, there are no provisions in Swedish law that conflict with this sub-paragraph. Women sentenced to prison now have the same opportunity as men of being imprisoned close to their home area.

Article 3

> States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.

Efforts to promote equality between the sexes have for a long time been made by popular movements, political parties, associations, government agencies and private individuals in Sweden. Previously most of this work was aimed at improving the status of women and giving women the same rights as men. During the 1970s, however, the main emphasis shifted from women's issues to equality issues, which meant changing the roles of both men and women. The point of departure for this policy was that women and men should share responsibility for the home and family so that both can take part in working life and civic affairs on equal terms. During the 1970s the equality-promotion work in Sweden was put on a systematic basis. Action programmes were written and bodies to deal with equality matters - both in the public and in the private sector - were constituted to put these programmes into effect.

At the end of 1972 changes were made so as to create a firmer organizational structure for the sponsored equality efforts. The Advisory Council to the Prime Minister on Equality between Men and Women was then formed and made immediately subordinate to the Cabinet Office. The Advisory Council was charged to develop principles that should shape the Cabinet's equality policy, to stimulate and support central boards and agencies in their equality-promoting work, and to help disseminate equality ideas in the community. The Advisory Council carried out its work through a smaller decision-making Commission, two reference groups and a secretariat. The Advisory Council was mainly concerned with implementing practical measures in various sectors, with particular emphasis on working life. Pilot projects were also conducted in areas such as education and child welfare.

After a parliamentary resolution in 1976, the Government set up in August that year a parliamentary committee to inquire into the question of equality between the sexes; this body came to be known as the Parliamentary Committee on Equality between Men and Women at Work (hereinafter referred to as the Equality Committee). By its terms of reference the Committee was charged to concentrate on longer-ranging projects in the equality sector and, in particular, to inquire into the question of legislation against sex discrimination in general and sex discrimination in advertising in particular. After a new Government took office in September 1976, responsibility for equality-promoting matters was transferred from the Cabinet Office to the Ministry of Labour. The Equality Committee took over the functions of the Advisory Council and its secretariat. The decision-making Commission and the earlier reference group were retained. The Equality Committee was chiefly concerned with adopting measures and carrying out pilot projects in the following spheres: education and training, working life, child care, community planning, advertising and the influencing of public opinion.

The Parliamentary Equality Committee was abolished in 1983 and was superseded by a new Division ("the Equality Affairs Division") at the Ministry of Labour, by a Commission for Research on Equality and by a Council on Equality Issues, which is an advisory body to the Minister responsible for equality matters. Reference should be made to the Introduction to this report for a description of the current organizational structure in the ministries for matters concerning equality.

Article 4

> 4.1 Adoption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.

Formally, women in Sweden today have the same rights as men in all sectors. As shown under Article 2, a whole system of rules, including legislation aimed at promoting equal opportunities, has been built up in recent years. This principle has, for instance, been embodied in a compulsory curriculum for schools and also in legislation, collective agreements and other instruments in the employment sector. However, experience in Sweden has shown that formal equality is not enough. Traditional patterns still remain in education, in working and family life. One important point of departure for Swedish equality policy has therefore been, and still is, that special measures and support of various kinds are essential if equality is to be achieved. This includes measures relating to both women and men, even though most of them have for obvious reasons been oriented to women.

The active measures to improve equality at places of work, which employers are under an obligation to take pursuant to the Equal Opportunities Act (Section 6), have already been described under Articles 2 (a) and (e).

In the last ten years several programmes have been launched to encourage equality in the employment sector, including certain ones to overcome segregation on the labour market on grounds of sex. These non-traditional occupations (NTOs) programmes have, for instance, included schemes at various public utilities, such as the Telecommunications Administration and the State Power Board. A brief description of some of these schemes will follow.

In 1976 the Telecommunications Administration was commissioned by the Government to organize a 2-year pilot scheme which was, among other things, to provide information, work experience and a modicum of training to introduce women and men respectively to jobs where persons of the opposite sex predominated. A total of 377 employees were recruited in this scheme. Of the 106 who left sex-stereotyped occupations, most of the women were hired as telecommunications engineers and most of the men as switchboard operators.

The Power Board was also one of the five agencies selected by the National Board for Government Employees to conduct pilot schemes with a view to encouraging women to be interested in occupations where men predominated.

At that time the State Power Board was very short of technical personnel and therefore wanted to recruit more women engineers. During the duration of the pilot scheme the Board recruited 38 additional women engineers.

These programmes have been imitated widely both in the public and in the private sectors. Official statistics also reveal a shift in favour of less sex-segregation in the labour market. Women have, above all, increased their share of highly qualified jobs. Even though most of the non-traditional occupational programmes during the last 10-15 years have been aimed at improving conditions for women in various fields, chiefly in working life, some programmes of a temporary nature have also been oriented to men. One such example is the attempt to give men an impetus to enter traditional female occupations such as child care. In 1971 a scheme was introduced whereby affirmative action was taken to increase temporarily the number of men in pre-school teacher-training. By this scheme, men could gain admission to this training through the "unrestricted quota" even though the aggregate of their grades ("points") was 0.2 percentage points under the threshold for admission. A total of 15 % of the places available was reserved for this "unrestricted quota". This pilot scheme was, however, terminated in 1977. During its duration, there was an increase in the percentage of men admitted to pre-school teacher-training, from 6 % to 9 %, and in 1975 to as much as 13 %. Since the termination of the scheme, the proportion of men starting this type of training has diminished slightly. In 1986, 8 % of those admitted were men.

Another example of a temporary measure in the educational system is the Government's decision at the beginning of the 1980s to allow boys and girls wanting to study course programmes ("lines") at upper secondary schools which are dominated by the opposite sex to add an additional 0.2 "points" to their aggregate grades when applying for admission. (See also under Article 10 (a)).

In 1986 the Government decided that schools could depart from the general principle of co-education and set up temporary groups solely for girls in subjects such as technology and natural sciences, which they have not traditionally studied (see also Article 10 (c)).

Furthermore, the present Government has earmarked resources for special projects extending from pre-school education to all aspects of working life in order to strengthen the position of women both in the employment sector and in the educational system, and to make girls and women more interested in industry and new technologies. Local projects are being arranged in all counties. Projects have been in progress in various forms since 1983. Further information concerning these projects is given in Article 11, sub-paragraph (c). Surveys are also being made in specific fields. They include regional analyses to identify ways of improving conditions for women in the educational and employment sectors. A research inventory study of sexual harassment at work is also being carried out (see Article 11, sub-paragraph (f)).

The following contains an account of some of the projects now being conducted on a temporary basis.

Women into engineering

After completing their upper secondary schooling many young women find that there are no jobs in the field they are trained for. In a small Swedish town with a big labour shortage, a group of women who found themselves unemployed on leaving upper secondary school are now receiving advanced technical training. This training is being provided by the Ministry of Labour and a large high-technology industrial company in association, and the women are assured future employment. The scheme includes one year's work experience.

Women for industry

An important element in Swedish labour-market policy is the provision of training courses for the unemployed or the potentially redundant.

To make this training more suited to women's needs, courses specifically for women are being arranged in sectors where men predominate. The courses include a general training in technical matters, field trips, work experience and special supportive measures for women.

The Swedish Trade Union Confederation has also launched projects at several factories and plants to make women more interested in basic and further training. Active women trade unionists are being recruited as "equal-opportunities innovators". As such, they chart women's further-training needs at work and organize special information conferences.

Women in positions of responsibility

In the last few years there has been an increase in the number of women in positions of responsibility in Sweden. There is, however, a very low percentage of women in senior management in the private sector. On the latter, no reliable statistics are available. In the public sector the increasing number of women in positions of responsibility mainly carry out supervisory functions in the services sector, where women traditionally predominate. Among those holding senior positions in the municipalities, 10 % are women.

In support of female enterprise, some county authorities are organizing special development programmes for women within the above-mentioned government project scheme. They are being offered training in such matters as marketing and salesmanship, product development, commercial law, finance and exporting.

Some municipalities are also running schemes to support women who want to set up co-operative enterprises.

Summer courses in technical subjects

Most girls are still opting for the same course programmes ("lines") in upper secondary school as female pupils have traditionally chosen. Very often this is because they do not know what technical studies are all about.

About half of Sweden's 284 municipalities have organized special summer courses in technical subjects for girls in class 8 (ages 14-15) in the compulsory comprehensive schools. These girls have been given a fortnight's practical experience. The activities covered have included welding, brazing and computer operating. Courses containing a larger element of technology have also been arranged.

The outcome of these courses has been very encouraging. One frequent reaction by the girls is that they say that engineering is not as difficult or as tedious as they had imagined.

The interest and ability shown by the girls when on their own have given their teachers, in particular, food for thought. They have also become aware of the usefulness of intensified support for girls studying technical subjects (see also Article 10 (c)).

Article 4

> 4.2 Adoption by States Parties of special measures including those measures contained in the present Convention, aimed at protecting maternity shall not be considered discriminatory.

Sweden no longer has general protective legislation in the traditional sense where women are concerned. As an outcome of the efforts to promote equality between men and women, legislation has been limited as far as possible to special protective measures for women in specific cases. Important features in Swedish equal-opportunities policy are the equal treatment of men and women in employment as well as the recognition of the need of fathers to have certain rights and opportunities in connection with the birth of their children and a child's first years.

Since the new Work Environment Act came into force in 1978, only one special provision relating to female employees has been enacted. Its aim is, however, to protect the embryo rather than the mother. This provision, which relates to work involving the use of lead, will be described later under Article 11 (f) as also will the safeguarding of reproduction. Maternity benefit will be described below.

Under this Article the comments will concern pregnancy and the period after childbirth for both parents.

According to Swedish law, working parents - the father as well as the mother - are entitled to leave of absence and financial benefits for child care under two different sets of rules. The right to leave of absence itself is regulated in the Child-Care Leave Act, which entered into force in 1976 and was amended in 1979. The National Insurance Act regulates the whole social-insurance system; the right to benefit for parental leave is part of this system.

The Child-Care Leave Act

According to the Child-Care Leave Act an employee, as a parent, is entitled to leave of absence from his/her employment in accordance with the provisions of this Act. An employee who is a foster parent is similarly entitled to leave, as also is an employee who is living permanently with a parent and who is, or has been, married to the latter or has, or has had, a child with him/her.

An employee is entitled to leave of absence for the care of a child, partly in the form of full-time leave, and partly in the form of a reduction in working hours to three-quarters of normal working hours. He or she is entitled to full-time leave of absence until the child has reached one and a half years of age. An employee also has a right to reduced working hours until the child has reached eight years of age or anyhow until the child has completed its first year at school. A government employee is entitled to longer leave of absence than is prescribed by the Act, in fact until his or her child reaches the age of 12. A parent is always entitled to leave of absence as long as he or she is entitled to parental benefit according to the National Insurance Act.

In connection with childbirth female employees are also entitled to full-time leave of absence of not less than six weeks before the expected confinement and six weeks afterwards. They are also entitled to nursing leave.

The Act, furthermore, contains rules concerning the allocation of the leave, on the employee's return to work and on her security of employment. These provisions will be described under Article 11.2, sub-paragraph (a).

The National Insurance Act - Parental Benefit

Social insurance is the predominant element in Swedish social-welfare policy, which covers the health and medical services, family benefits and other benefits of various kinds. Social insurance which comes under the National Insurance Act, includes, by definition, medical, dental and parental insurance as well as partial, basic and supplementary pensions. Provisions concerning parental benefit were first introduced in 1974 but since then they have been gradually made more comprehensive in order to make them more readily available to fathers. Before parental benefit was introduced, benefit (what was known as a maternity allowance) was only paid to the mother. The change of policy underlines the view now held in Sweden that the care of the children is the responsibility of both parents and that special benefits to the mother should only be given in cases directly connected with her physical health.

The parental insurance scheme provides parental benefit for twelve months in connection with childbirth and during the child's first four years. An expectant mother can stop working one month before she expects her confinement, and can then receive parental benefit. Once the child is born, the parents themselves can decide how to divide the twelve months of time off between them. Both cannot receive compensation at the same time. If both parents have custody of the child, one of them may take, at most, 270 "compensation days" with parental benefit. The remaining statutory 90 "compensation days" are reserved for the other parent. A parent may, however, declare in writing that he or she gives up the right to parental benefit to the other parent or to someone who stands in the stead of a parent. A parent who has sole custody of a child is entitled to receive parental benefit for the whole statutory compensation period.

If an expectant mother is able to work less than one half of her normal capacity owing to her condition and cannot obtain an assignment suitable to her circumstances, she can receive a maternity benefit equivalent to the parental benefit, for a maximum of 50 days before the expected date of her confinemnt.

The parental insurance scheme applies for twelve months and entitles parents to compensation at the same level as sickness benefit, i.e. at 90 % of their gross income for nine months. Everybody, not only the gainfully employed, is guaranteed a daily minimum of SEK 60. During the last three months, however, those who are gainfully employed receive only the guaranteed minimum amount.

Compensation from parental insurance is taxable and qualifies the recipient for a future national supplementary pension in the same way as income from employment.

Parental insurance is also payable to adoptive and foster parents. Adoptive parents are entitled to benefit for, at most, a total of six months when they adopt children under 10 years of age.

Furthermore, fathers are entitled to ten days' leave of absence with parental benefit when a child is born, even if the mother is receiving parental benefit at the same time and for the same child.

Parents who have to abstain from gainful employment in order to look after a child - their own child, an adoptive child, a foster child or a stepchild - who has not reached the age of 12 (the age of 16 if the child is disabled) are entitled to parental benefit in the following cases:

- when the child is ill, or if the person who usually looks after the child falls ill,
- when more children are born into the family and the mother is in hospital for her confinement, the father may stay at home to look after any of his children living at home; in such a case he receives parental benefit,
- when a child has to be taken to a child-welfare clinic, a school health clinic, a public dental-service clinic or a mental health facility for children and young people, the parent who stays home from work to accompany the child is entitled to parental benefit.

Families are entitled to parental benefit for the above-mentioned reasons for, at most, 60 days a year for each child.

If a parent wants to visit his or her child's day-care centre or school, parental benefit will be paid for, at most, 2 days per year and child.

Statistics showing how fathers make use of the benefits under the parental-benefit scheme will be given under Article 5 (b).

Article 5

States Parties shall take all appropriate measures:

> 5 (a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;

As stated earlier in this report, a number of measures and agreements have been adopted during the last 15 years to improve equality between men and women in Swedish society. Such measures are, however, not automatically effective. Contemporary realities and social conditions, attitudes and prejudices, can partly or wholly frustrate the intentions expressed in legislation, regulations and agreements.

Even though the principle of equality between the sexes is widely and generally accepted in Sweden, in reality much still remains to be done before de facto equality is achieved. The sex-segregation of the labour-market and of the educational system, as well as the uneven sharing of responsibility for the unpaid work of the home and caring for children, are some examples of remaining obstacles. The influencing of public opinion is of the outmost importance if these and other obstacles are to be removed.

In Swedish equal-opportunities policy, the changing of attitudes and prejudices is a long-term goal parallel with the other equality-promoting work. The forming of public opinion, by disseminating information on the rights and obligations of men and women and on other equality issues, is therefore a constant process in which a number of official bodies and private organizations, above all the women's organizations and the employer/employee organizations, take part. The government agencies in Sweden that are actively engaged in disseminating information on equality issues in their respective fields include the Office of the Equal Opportunities Ombudsman, the National Board of Education, the National Labour Market Board, the National Board of Universities and Colleges and the National Board of Health and Welfare. Statistics on women and men are published regularly by Statistics Sweden, which has a special Section for this purpose.

Furthermore, the social insurances offices have published information material, television "spots", etc. on the parental-benefit scheme.

When the Equal Opportunities Act came into force, the Ministry of Labour took various steps to disssseminate information about the Act and the functions of the Equal Opportunities Ombudsman. Advertisements were published in newspapers and weeklies, a film was made for the regular official-information spots on television and, finally, a brochure was compiled outlining the main provisions of the Equal Opportunities Act. During the autumn of 1980, this brochure was circulated to 35 000 employers.

According to the Instructions for the Equal Opportunities Ombudsman, the duty of the latter is to inform the general public and to participate in other suitable ways in efforts to promote equality between men and women at work. The passing of the Equal Opportunities Act was given wide coverage by the media. The latter continues to devote much attention to matters in this field.

During the period immediately following the appointment of Sweden's Equal Opportunities Ombudsman, she gave priority to the provision of oral information. The Ombudsman has herself arranged conferences and study-days to discuss a specific subject (for instance the settlement of a discrimination dispute in which an important principle was involved), job-evaluation principles, the arrangement of working-hours, pay discrimination etc. The Ombudsman's staff have also taken part in outside activities concerned with equality in working-life. The Ombudsman, her deputy, and other members of her staff have on such occasions given lectures on the Equal Opportunities Act and on the work of the Office of the Equal Opportunities Ombudsman; they have also sat on panels, led group-discussions on how active work to promote equality could be conducted in the sector in question and on similar matters. These activities have been arranged by trade unions, employer's organizations, governmental authorities, municipalities, county councils, political and non-profit associations, women's organizations, schools, universities and Rotary clubs. Finally, the Equal Opportunities Ombudsman has compiled material on equality questions to be sent out free of charge for use at workplaces or in courses of various kinds dealing with such issues. A leaflet setting out the provisions of the Equal Opportunities Act that can be applied in practice, and comments on them, has for instance run into several editions and, in all, a total of some 600 000 copies have been distributed.

In 1984 the Equal Opportunities Ombudsman took over a quarterly journal, which had previously been issued by the Parliamentary Equality Committee. This journal deals with matters in the Ombudsman's province as well as current equality issues.

This quarterly Journal, which in 1986 had a circulation of about 17 000, is sent out to trade unionists responsible for equality matters, to various public and private workplaces, to the mass media and, less widely, to a number of private individuals.

Contributors to this Journal include the Equality Affairs Division at the Ministry of Labour and the Commission for Research on Equality; they contribute articles on activities in their fields.

As part of the work of taking active efforts pursuant to Section 6 of the Equal Opportunities Act, the Ombudsman has had surveys made of several specific fields of activity. These surveys, whose findings have been published and circulated, have been described in greater detail under Article 2 (e). Here it can only be noted that the Ombudsman has visited ten daily newspapers for discussions, with the employers' and employee organizations there, on active measures to promote equality, primarily at these newspapers as workplaces.

The dissemination of information about current activities and the providing of facts about women's and men's conditions is also the province of the Equality Affairs Division at the Ministry of Labour. To this end, the Division regularly produces video tapes, fact sheets and brochures and distributes them free of charge. It has arranged several conferences on related subjects, especially in connection with the projects initiated by the Ministry (see Articles 4.1 and 11, sub-paragraphs (a)-(d)) and in connection with the work undertaken by the Study Group on the Role of Men (see Article 5 (b)). A network of contacts with relevant organizations, authorities and private persons is also being maintained by the Division. A number of reports have been published. Among them are two reports presented at the United Nations World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace. One report, Side by Side, describes the current state of progress in equality matters in Sweden and the other, Women and Migration, describes the situation of immigrant women in Sweden from a European perspective.

In the initial report submitted by Sweden on the measures taken to give effect to this Convention, mention is made of the question of sex-discriminatory advertising. Since the Parliamentary Equality Committee between Men and Women was abolished before the Committee had finished its investigation into the feasibility of legislation against this kind of advertising, the investigation was taken over by the Committee on Consumer Policy.

This Committee submitted a report on this matter to the Government in 1985. In the report a distinction is made between advertising which is considered offensive and sex-discriminatory, and advertising which is considered to be stereotyped and to uphold sex roles. In the report it is stated that any legislation against sex-discriminatory advertising requires an amendment to the Constitution, since the freedom of the press and of speech are protected, for instance, by two of the fundamental constitutional documents, the Instrument of Government and the Freedom of the Press Act.

So as to throw further light on the extent of this type of advertising and to arouse public opinion in regard to this question, the Government in 1986 charged the National Board for Consumer Policies, which by its Instructions must oversee various aspects of company marketing, to conduct a special survey to ascertain the development and extent of sex-discriminatory advertising. The Board is to submit its findings to the Government before the end of 1988.

Article 5

States Parties shall take all appropriate measures:

> 5 (b) To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases.

The basic aim of Swedish family policy is to create a good environment for children to grow up in and to provide support for families with children under the social-insurance system.

The principle which recognized that the interest of the children is a common responsibility of both parents is set out in the Code Relating to Parents, Guardians and Children and in the legislation concerning parental leave and parental insurance (see also Article 4.2).

Reference should be made to Article 10, sub-paragraph (c) for information about the teaching of home economics in the compulsory-schooling system.

Furthermore, in connection with pregnancy, parents in Sweden are offered parenthood training.

This scheme, which was introduced in 1980, will be fully operational by 1993. The county councils are responsible for the scheme within the framework of the national health service. Non-governmental organizations, especially women's organizations, also have an important part to play in connection with parenthood training.

In this scheme maternity and child-health care personnel invite parents to attend group meetings. Each group holds 8-10 meetings during pregnancy and the same number again during the child's first year of life. It is intended that subsequent parenthood training will be based on collaboration between staff and parents in pre-school education and later in school.

Parenthood training is based on individual needs and on questions raised by the parents taking part. The training takes place in group form, with the specialists as "expert members" rather than teachers.

Most expectant mothers attend parenthood training, at least during their first pregnancy. Many prospective fathers also take part.

Where Swedish child-care facilities are concerned, reference should be made to Article 11.2, sub-paragraph (c).

As in other industrialized countries, the birthrate in Sweden has been declining for many years. The average fertility rate for Swedish women is 1.7. Various studies have shown that the great majority of women consider it very important to have children. No less than 97 % of all women between the ages of 20 and 24 expect to have children. Only about 10 % of all women in Sweden remain childless.

In these surveys Swedish women have given three main reasons for not having more children: a lack of time and energy, a desire to go out to work and do other interesting things, and age and health. A quarter of all the mothers of two children state that they have neither the time nor energy to have more children, and women over 35 often consider themselves too old.

Nearly all women carry on working until their first child is born, and more and more women are returning to work within a year of having a baby.

The number of full-time housewives in Sweden has, however, declined sharply. In 1970 about 26 % of all women between the ages of 20 and 64 were full-time housewives, but in 1984 the corresponding figure was about 12 %.

Although nearly all women are gainfully employed, the home and housework still remain primarily a woman's responsibility, regardless of whether the woman is a full-time housewife or is gainfully employed part-time or full-time. Women do most of the unpaid work in the home. Swedish women still have a double workload.

The role of men

As mentioned earlier in this report, a point of departure for Swedish equal-opportunities policy is that equality concerns both men and women and that the new patterns of life presuppose changes in the roles of both sexes. Increasing attention has been focused in Sweden on the role of men.

In 1983 the Minister then responsible for equality affairs appointed a special Study-Group to examine the Male Role. The aim was to acquire better input documentation for debates and practical measures in respect of equality from a male perspective. It was thought essential that the work should be based on a dialogue between men and women. The Study-Group set up was therefore composed of a roughly equal number of representatives of each sexes, that is 7 men and 5 women, with a male chairman.

The Study-Group on the Male Role presented its programme of ideas in August 1985. The main focus of these proposals is on periods or situations of strategic importance for the establishment or consolidation of sex roles. Situations of this kind, which are called "golden opportunities" by the Study-Group, arise, in particular, not only when a man becomes a father, but also when he chooses his education and occupation or does his military service.

The Study-Group's programme of ideas has now been circulated for comment to organizations and authorities throughout the country; their comments - on the whole very favourable ones - are now being studied with a view to continuing the discussion and providing a basis for possible measures.

At the same time various projects with a male orientation are now being launched. They include both research into men's attitudes and their expectations of parenthood, and various projects whose aim is to encourage men to make increasing use of parental benefit.

The work of the Study-Group has attracted a lot of attention not only in Sweden but also abroad.

Parental benefit has been a focal point in the debate on the male role (see Article 4.1), that is to say to what degree do fathers make use of parental leave and parental insurance. As already pointed out, various efforts are being made to encourage more men to use their statutory right to stay at home with their children.

As mentioned under Article 4.2, all fathers have the sole right to ten days of leave of absence from work with parental benefit. 72 % of the fathers of children born in 1984 stayed at home for, on average, nine of the ten days.

One father in five chooses to take parental benefit in connection with childbirth and during his child's first four years. On average, the father stays at home for a total of 45 days.

30 % of the fathers use parental benefit to stay at home when their child is ill. They do so, on average, for five days each year, while 40 % of the mothers stay at home, on average, for seven days each year.

Differences between the social classes have been seen in regard to the use of parental insurance. It is less common for male industrial workers to take parental leave than for local and central government officials. The segregation of the labour market also has a bearing on this; at mixed workplaces, the climate is more favourable for men taking parental leave.

Article 6

> States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.

Under this Article matters relating to prostitution, pornography, maltreatment of women (battered women and domestic violence) and sexual crimes will be dealt with.

Procuring is forbidden in Sweden under the Penal Code. Chapter 6, Sections 8-10 read as follows:

Section 8

A person who promotes or in an improper way exploits the fact of someone having casual sexual relations against payment shall be liable for procuring to imprisonment for four years at most.

If it comes to the knowledge of a person who has provided a dwelling with the right of use that the dwelling is used entirely or to a substantial extent for casual sexual relations against payment and omits to do what can reasonable be required to terminate provision of the dwelling, he shall, if the activity is continued or resumed in the said dwelling, be considered to have promoted the activity and shall be liable in accordance with the first paragraph above.

Section 9

If the criminal offence referred to in Section 8 is grave, the offender shall be liable for grave procuring to imprisonment for at least two and at most six years.

In judging the gravity of an offence special consideration shall be given to whether the offender has promoted casual sexual relations against payment to a great extent or has ruthlessly exploited another person.

Section 10

A person who, by promising or giving payment, obtains or seeks to obtain casual sexual intercourse with someone under eighteen years of age, shall be liable for seduction of youth to a fine or imprisonment for six months at most.

It is not, however, a criminal offence in Sweden for a woman to prostitute herself. Nor is it in principle an offence to avail oneself of such services against payment. The question of making prostitution a criminal offence has recently been reviewed in two official inquiries. The question has subsequently been considered by the Government and by Parliament. In all cases the idea of making prostitution a criminal offence has been rejected. It has been established in this connection that prostitution should be vigorously combated, but that this should be done by social measures. Prostitution in Sweden is primarily concentrated in the larger cities, where it is often related to social factors and various forms of misuse. In the mid-1970s there was as far as could be ascertained a decrease in open street prostitution. There is reason to believe that this was at least partly due to the fact that the social welfare services and the police increased their activities at this time. In 1980 the number of street prostitutes was estimated at about 1 000. There is no reason to believe that the number has substantially changed since then.

The question of whether exploitation of prostitutes should be made a criminal offence has also been a subject of, at times, lively discussion. Such demands have been made, for example, by certain women's organizations and in some Bills presented to Parliament, although they have not won a majority there.

Domestic violence is a term often used in Sweden and elsewhere to describe maltreatment (battering) of women and children and sexual abuse of children. This term can also be used to cover sexual assaults on women committed by men with whom these women have, or have had, a relation, since this type of violence takes place between people who have close emotional relationships with one another.

In recent years increasing attention has been paid to the violence to which women, and to a lesser extent children, are subjected. A new attitude to domestic violence in the family has become prevalent, as a result of which special emphasis is placed on the difficult and vulnerable position of the victims. Thus amendments have been made to the rules concerning prosecution for assault and rape, so that prosecution is no longer dependent on an accusation being made by the person subjected to the offence. Anyone who receives information about such an offence can report it to the police, after which a preliminary hearing can commence. It has thus been established that such offences cannot be considered a private matter concerning only the parties involved.

The provisions in force with respect to crimes of assault are to be found in Chapter 3 of the Penal Code:

> Section 5
>
> A person who inflicts bodily injury, sickness or pain upon another person or renders the latter unconscious or in a similar condition, shall be liable for assault to imprisonmment for two years at most or, if the offence is trivial, to a fine.
>
> Section 6
>
> If the criminal offence referred to in Section 5 is considered grave, the offender shall be liable for aggravated assault to imprisonment for not less than one and not more than ten years.
>
> In judging the gravity of a criminal offence, special consideration shall be given to whether the deed involves danger to life or whether the offender inflicts grievous bodily injury or serious sickness or otherwise displays exceptional ruthlessness or brutality.

The law makes no distinction as regards the sex of the victim. But it is considered an aggravating circumstance if a pregnant woman or close relation is the subject of maltreatment. When such maltreatment occurs repeatedly and in a brutal manner, for example with respect to a wife or children, it is often considered that the offender has displayed exceptional ruthlessness or brutality, and Section 6 is applicable.

It is a typical characteristic of maltreatment (battering) of women that it occurs indoors and that the woman is known to the offender. According to the statistics, over 10 000 cases of maltreatment of women are reported to the police every year. In fact the number of these offences is probably greater. The organizations which help these women keep no records. But although the studies made do not give a complete picture of these offences, information from various quarters suggests that the problem of maltreatment of women is greater than formerly believed.

A number of things have been done to help maltreated women. The voluntary women's advice and reception centres for women in acute need perform valuable work here. They exist in about 100 Swedish towns and offer support and protection. They receive government grants. Such grants are also paid for information to, and training of, personnel who come into contact with maltreated women and their families. At the municipal level financial assistance, housing and childminders etc. are provided by the social welfare service.

The legislation relating to sexual assaults has recently been reviewed. New provisions came into force in 1984 after extensive preparatory work and intense debate both in the press and Parliament. The main subject of discussion was rape. The preparatory memorandum preceding the new provisions in the Penal Code reflects the view, which is also intended to guide the courts, that, basically, court decisions are not to be influenced by a woman's way of life, morals and behaviour prior to an assault.

Chapter 6 of the Penal Code opens with a provision relating to rape. This offence now covers not only sexual intercourse, but intercourse comparable thereto:

> Section 1
>
> A person who, by violence or by threats involving, or appearing to the person threatened to involve, imminent danger, forces another person to have sexual intercourse or other intercourse comparable thereto, shall be liable for rape to imprisonment for not less than two and not more than six years. Rendering a person unconscious or in a similar condition shall be considered equivalent to violence.
>
> If, in view of the nature of the violence or threat and other circumstances, the crime is not considered grave, the maximum sentence shall be four years.
>
> If the criminal offence is grave, the offender shall be liable for aggravated rape to imprisonment for not less than four and not more than ten years. In judging the gravity of an offence special consideration shall be given to whether the violence involved danger to life or whether the offender inflicted serious injury or serious sickness or otherwise displayed particular brutality.

The provision relating to penalties for sexual exploitation, that is when the victim is in some way dependent on the offender, or is not in a position to defend himself/herself, reads as follows:

> Section 3
>
> A person who induces another person to have sexual intercourse by gross abuse of his or her dependent position or by taking improper advantage of the fact that the latter is unconscious or in a similar helpless condition, or is mentally ill or mentally retarded, shall be liable for sexual exploitation to imprisonment for four years at most.

Chapter 6 of the Penal Code contains further provisions relating to sexual offences against children as well as the provisions concerning procuring which were quoted earlier.

Sexual offences in Sweden represent a small category compared with other types of crime. In 1984, for example, 955 cases of rape were reported to the police. This was, however, an increase of 8 % on the year before. But statistics concerning sexual offences are extremely uncertain. The number of undetected offences tends to vary. For instance, there is reason to suspect that, as a result of the lively debate on this subject, there has in recent years been a growing readiness to report such offences. It is therefore difficult to draw any valid conclusions about developments in this area.

As was mentioned earlier, increasing attention has been paid in the last few years to violence perpetrated against, primarily, women. The chief topic of discussion has been the importance of training the personnel who come into contact with female victims of violence at police stations, hospitals, the public prosecution authorities and especially in court.

The Government has also instructed several authorities to prepare suitable information material to serve as a guide to all those who come into contact with the victims of maltreatment or sexual offences in the course of their work, e.g. legal officers or hospital employees. One such brochure, entitled "Maltreatment and Sexual Abuse of Women and Children" was published in 1985.

A parliamentary committee appointed by the Government to deal with questions concerning legal aid has proposed that a victim of sexual offences should be entitled to a personal counsel, whose duties would be to help and support the plaintiff during interrogations and to plead his or her case with respect to the matter of damages. The Government will be making a decision on this proposal in 1987.

A considerable number of pornographic magazines are sold in Sweden. In 1984, sales of "men's magazines" were estimated at 13.6 million. In recent years pornographic literature has become increasingly cruder, with frequent elements of violence, force and sadism etc.

This development, like the increasing range of video programmes on sale, has given rise to a discussion of imposing a ban, at least on the cruder kinds of pornography. The women's organizations, in particular, have demanded that measures be taken against pornography containing elements of violence.

Under the existing legislation, specifically what is commonly referred to as the Act on Video Violence, sexual violence and force in films and video programmes (moveable pictures) are forbidden. Special rules applying to censorship of films for showing in cinemas have existed for a long time.

The Cabinet Office is at present preparing a Bill prohibiting representations of sexual violence or force also in still pictures in printed material.

With respect to the circulation of pornographic illustrations, a prohibition against the displaying of pornographic illustrations in public places, either in shop windows or by other means, has been in force since 1971. It is also forbidden to send people pornographic illustrations by post or other means unless they have been ordered.

PART II

Article 7

> States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:
>
> (a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;
>
> (b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;
>
> (c) To participate in non-governmental organizations and associations concerned with the public and political life of the country.

Under this Article comments will be made on sub-paragraphs (a)-(c) in that order.

Sweden is a representative democracy in which parliamentary, municipal and county council elections are held every three years. Parliament is a unicameral assembly of 349 members. The 284 municipalities each have clearly defined fields of responsibility; they levy taxation and deal with school and social-welfare matters, cultural amenities and consumer questions, etc. within their own boundaries.

The representation of women in various decision-making and advisory bodies has increased substantially in the past ten years. Swedish women are in a strong position compared with those in countries outside the Nordic area. This is true, above all, of their position in directly elected political bodies.

Nevertheless, men still predominate in nearly all policy-making bodies. Although Swedish women are admittedly present at virtually all levels of the decision-making hierarchy, they tend to be allotted fewer influential appointments and to do work that is not always apparent to the general public.

Since 1862 Swedish women have had the right to vote in local elections, and since 1921 in all elections and to all publicly elected bodies. In 1925 legislation was passed to give men and women equal rights to hold public office.

Electoral Turnout

The electoral turnout in Sweden is high, about 90 %.

Women and men are equally assiduous voters. Surveys have shown, however, that they are interested in different questions. While men are more interested, for example, in economic affairs, women attach most importance to questions relating to the family, the environment and social affairs.

Parliament and the Government

Of the 349 members of the Swedish Parliament, at present 108 or 31 % are women. The number of women in Parliament has doubled since 1971. The following table shows, in percentages, the distribution of women MPs between the five parliamentary political parties.

COMPOSITION OF PARLIAMENT, 1985

Party	No. Women	Men	% of party members Women	Men
Moderates	17	59	22	78
Centre	14	29	33	67
Liberals	20	31	39	61
Social Democrats	54	105	34	66
Left Party Communists	3	16	16	84
All political parties	108	241	31	69

The most important political work in Parliament is done by the Standing Committees. Altogether, 28 % of the seats on the Standing Committees are held by women and 72 % by men. Women are mostly represented on Standing Committees dealing with social-welfare questions, cultural affairs and social insurance. Men, on the other hand, predominate in the weighty Standing Committees that deal with taxation, foreign affairs and defence. Seldom are any of those committees chaired by women.

The Swedish Government is composed of five women and sixteen men (October 1986). Three women are Under-Secretaries of State. The women ministers are responsible for matters concerning the labour market, social welfare, the environment and energy, trade and international development assistance.

In the central ministries 22 of the most senior 177 officials are women (12 %).

Municipalities and county councils

Conditions in the municipalities and county councils are very similar to those prevailing in Parliament. 30 % of the municipal counsellors are women. They are best represented (37 %) on the county councils, whose responsibilities include the health and medical services, (1985).

In the municipalities women serve mainly on the committees concerned with social welfare, local education, consumer affairs and cultural matters. They are more rarely to be found on the committees that deal with economic affairs, building, traffic, technical questions and real-estate management.

There are great differences between regions. In the metropolitan areas women hold almost 50 % of the appointments in certain municipalities, while in certain rural communities the corresponding figure is less than 10 %.

Employer and employee organizations

Although the representation of women within the employer and employee organizations has increased over the past ten years, it is still low. In the Swedish Trade Union Confederation, 42 % of its 2.2 million members are women. Only one woman sits on the Confederations's Executive. The Central Organization of Salaried Employees has over a million members, 59.5 % of them being women. The Organization's Executive includes 3 women. The Confederation of Professional Associations, SACO/SR has just over 250 000 members, 37 % of them being women. Women constitute 32 % of the Confederation's Executive.

Of the 31 members of the Executive of the Swedish Employers' Confederation, at present not one is a woman.

Government bodies

In Sweden policy is usually laid down by small central ministries and carried out by largish government agencies. Each agency is headed by a board whose members are drawn from individual sectors of the community or represent various interests. Some of the members of these boards are directly appointed by the Government, others by the latter after nomination by, for instance, the employer/employee organizations. Women are very poorly represented on these boards. On many of them there are no women members at all. In 1985 only about 18 % of the members of the boards of these agencies were women. Five government agencies are now headed by a woman director-general. They are:

- the National Board of Health and Welfare
- the National Swedish Child Council
- the National Board for Consumer Policies
- the National Chemical Inspectorate
- the National Employment Training Board

Few women are to be found either on the official committees of inquiry: the latter are independent bodies set up by the Government to study major issues. Only 4 % of the committees of inquiry are chaired by a woman and only 23 % of their members are women.

Women's organizations

Four of the five political parties in Parliament have their own women's group. The exception is the Left Party Communists (VPK).

The political women's organizations operate as pressure groups and sources of recruitment. An important part of their work is to train their members politically and to contribute to the moulding of public opinion. Some of the most prominent politically independent women's organizations are the Fredrika Bremer Association, the Association of Swedish Leftist Women, Group 8 and the Housewives' Organization Home and Community. The oldest of these organizations, the Fredrika Bremer Association, chiefly concerns itself with questions relating to education and the influence of women. This Association publishes its own journal, Hertha.

There are certain women's organizations that are, in particular, concerned with questions relating to peace; they include the Women for Peace and the Women's International League for Peace and Freedom. Professional women have their own organization: the Swedish Federation of Business and Professional Women.

The National Federation of International Associations of Immigrant Women exists mainly to safeguard the interests of immigrant women. This organization works along two main lines: facilitating the adjustment of immigrant women to Swedish society and enhancing understanding in Swedish society for the cultural indentity of immigrant women.

Final remarks

A topic much discussed in Sweden in recent years has been the need for democracy to be developed and made more far-reaching. Active efforts are being made, at municipal level and elsewhere, to increase public involvement, participation and individual responsibility. These efforts are designed to bring decision-making closer to the individuals concerned, to make it easier for them to join in and exert influence. This applies, above all, to women.

However, when women want to play an active part in the work of political parties and organizations, practical problems frequently arise. Such work is often not compatible with the day-to-day responsibility for their family and children.

In the last few years there has been a growing awareness of these matters. Many political parties, for instance, now provide child-minding facilities in connection with prolonged meetings, courses and conferences. Efforts are also being made to limit the duration of meetings.

In some places, elected bodies meet during the daytime. To make it easier for elected representatives to combine their duties with parenthood, compensation is sometimes available to cover child-minding expenses incurred in carrying out a political appointment.

Both the Government and Parliament have paid much attention in the last few years to the underrepresentation of women especially in indirectly elected bodies. In Sweden it is an important democratic principle for organizations to be free to nominate whoever they may wish for election to government boards. The Government has made recommendations in various contexts with a view to increasing the number of women on boards of government agencies, committees of inquiry or similar. For instance, organizations making nominations have been asked to put forward two names - of a man and of a woman - for each assignment.

In addition, the Government has recently declared its aim that by 1991 all of the boards of the government agencies and committees of inquiry should include persons of both sexes.

Furthermore, in 1985 the Government set up a special Committee to review the question of women's representation in governmental bodies and to recommend measures that would increase the proportion of women on agency boards and committees of inquiry. In 1986 this Committee presented an interim report on the distribution of the sexes in central and regional government administration. The bodies covered were 88 central authorities, 175 bodies at county level and 12 ministries. (Some of the figures reported by this Committee have been given above.) For all the authorities covered, the Committee found the same clear pattern - the higher up in the hierarchy, the fewer the women. Among the appointments studied were 251 of senior rank; only 26 of them were held by women. Where the regional authorities were concerned, the Committee found that the authorities that were dealing with regional labour-market policy had the lowest proportion of women on their boards.

This Committee's interim report attracted much attention not only in the mass media, but also among decision-makers and others. The Government later decided to tighten the requirements laid down in the Equal Opportunities Ordinance (see Article 2 (d)) and to take steps to co-ordinate the work in the ministries regarding governmental assignments. As a consequence, when a ministry intends to propose to the Government that the latter should set up, or re-form, a committee of inquiry or board, this ministry must now notify its composition, showing the proportion of women and men, both to the Ministry of Labour, which has overriding responsibility for equality questions, and to the Ministry of Public Administration, which deals with matters such as governmental personnel policy and related equality questions.

The Committee is to submit its final report to the Government, with recommended measures, during the spring of 1987.

Article 8

> States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations.

The Ministry for Foreign Affairs is the government department primarily responsible for Sweden's international negotiations. No difference is made between opportunities for the men and women on its staff to take part in these negotiations. There were 474 women and 309 men working at this Ministry in 1985. In the case of those in the higher grades working at the Ministry, 109 were women and 224 were men. Of those holding the most senior appointments, that is with the grade of ambassador or of assistant under-secretary, 10 were women.

In the UN system there are 39 Swedish women who hold qualified appointments. It can be noted that in 1985 a Swedish woman was appointed head of the UN International Year of Shelter for the Homeless. Another Swedish woman has also been appointed Head of Information (grade P-5) at UNICEF in Geneva. A Swedish woman now holds a D-1 appointment in the UNDP. In the WHO there are 19 Swedish women in qualified positions and 8 of them are women.

Finally, ever since the beginning of the 1960s, Sweden has been represented in international disarmament negotiations by women holding senior appointments.

Article 9

> 9.1 States Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband.

The rules concerning citizenship are set out in the Swedish Citizenship Act, most recently amended in 1984. Swedish citizenship can be obtained by birth, by becoming legitimate, by naturalization, and by notification. There is no difference between men and women in any respect relating to citizenship except on one point, see under Article 9.2.

Citizenship by becoming legitimate is possible when an unmarried foreign woman has a child with a Swedish man and the parents later get married; in such a case the child automatically becomes a Swedish citizen.

Citizenship through naturalization (or application) may be granted if the person concerned fulfils certain requirements of age, domicile and good conduct.

An application for citizenship by notification is considered by the Swedish Immigration Board and, in certain instances, by the relevant county administrative board. This method of acquiring citizenship, which is simpler administratively, is mainly for the citizens of the other Nordic countries who want to become Swedish citizens.

In accordance with the 1963 Council of Europe Convention on Reduction of Cases of Multiple Nationality, Sweden applies the principle that a person shall not have both Swedish citizenship and the citizenship of another country (which has acceded to the Convention). Partly because of the immigration of refugees during recent years, there are however many people in Sweden with double citizenship. The children of foreign citizens who are born in Sweden also increase the number of people with double citizenship.

There are today about 645 000 persons of foreign descent, i.e. foreign nationals or naturalized immigrants, in Sweden. In other words, roughly 8 % of the Swedish population have immigrant backgrounds. Immigrants have accounted for half Sweden's population growth over the past 40 years. Immigrants come from more than a hundred countries: about half of them are women, though figures vary from one national group to another.

Immigration into Sweden has changed character a great deal over the past 10 or 15 years. Labour immigration has declined heavily since Sweden, like other Western European countries, introduced immigration controls. The labour immigration facilitated by the common Nordic labour market has also declined. In the meantime refugees from countries outside Europe have become the "new" immigrants in Sweden.

Immigrants into Sweden today are either refugees, next of kin of previously established immigrants or citizens of the other Nordic countries. Each of these three groups accounts for roughly one-third of the total immigration.

Sweden is actively involved in improving the position of immigrant women, not only in Sweden, but also in international contexts both at the Nordic and European level and in the OECD, ILO and other international organizations. In Sweden various efforts are being made in the field of education and working life, for example through projects concerned with immigrant girls and women of a specific ethnic origin.

Article 9

> 9.2 States Parties shall grant women equal rights with men with respect to the nationality of their children.

The Swedish Citizenship Act is based on the principle of descent. The same principle, for instance, applies in the Nordic countries, the Federal Republic of Germany, Austria, the Netherlands, France, Italy and Spain. This means that a child's citizenship is determined by the citizenship of his or her parents. Pursuant to the Swedish Citizenship Act, a child whose mother is Swedish always obtains Swedish citizenship at birth. A child of a Swedish father who is married to the mother of the child also becomes a Swedish citizen at birth. On the other hand, a child of a Swedish father who is not married to the mother of the child obtains Swedish citizenship at birth only if the mother is a Swedish citizen. This means that the citizenship of a child of an unmarried alien woman follows the citizenship of the woman (the mother).

PART III

Article 10

> States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women:

Before dealing with the various sub-paragraphs, a brief description will be given of the Swedish educational system.

Education in Sweden is mainly provided by the state school system, adult education programmes, labour market training programmes, institutions of higher education and staff training programmes for which private companies or other employers are responsible. Some education is also provided in pre-schools. The state school system is subject to the Education Act of 1985.

The state school system consists basically of nine-year compulsory school and upper secondary school. Children start at nine-year compulsory schools at the age of seven. All pupils are given the same education within the framework of the curriculum in force, the Compulsory School Curriculum of 1980. In the introduction to this curriculum it is stated that

> "A prerequisite for coexistence in a democracy is a society of free and independent people. Our schools

social, geographical or other differences. Certain severely handicapped children are offered education in a ten-year special school, but this too is guided by the compulsory school curriculum.

The upper secondary school follows directly after compulsory school and is open to all pupils who have completed the latter. Upper secondary schools provide general education and education in preparation for further studies, as well as basic vocational training for all sectors of the labour market. The various courses of studies comprise 27 course programmes ("lines") and a large number of specialized course programmes. Of the course programmes around which the upper secondary school is organized, one is 4-year, four are 3-year and 22 are 2-year. For each course of study there is a division into enrolment areas. Normally, a pupil is entitled to apply for entrance to a course of study in the area nearest his place of residence. Thus all courses of study are open to all, regardless of where they live, but a pupil cannot freely choose a place of study. Local authorities are obliged to offer work, practical work or training to those who do not apply for, or obtain admission to, upper secondary school, until they attain the age of 18.

The state school system is financed by the national budget, which mainly contributes to the cost of teachers, and the local authority budgets. The Government has supervisory responsibility, while the local authorities are responsible for organizing education in accordance with existing regulations. Education is free of charge; no term fees or other fees are payable by pupils or their

Adult education is mostly provided by local authorities, colleges of adult education and adult educational associations. Local authorities are under an obligation to arrange for adult education. The education provided corresponds to that of the compulsory and upper secondary schools. Popular movements and similar organizations run colleges of adult education which provide full-time education corresponding to the general courses of study in upper secondary schools. The educational associations mainly arrange study circles in art, social science and language subjects. Everyone who meets certain requirements with regard to age and previous knowledge is eligible for these circles.

For adults who lack elementary skills and knowledge corresponding to six years of compulsory school there is a separate type of education called *basic adult education*. This education, which local authorities are under a statutory obligation to arrange, principally provides elementary reading, writing and arithmetic skills.

Labour-market training is primarily designed to meet the county labour boards' need for vocational training for job applicants at the employment agencies. Labour-market training also offers the same services against payment to private companies, public administration and organizations. Decisions as to who is to be accepted for courses are taken by the county labour boards after informing and consulting applicants. There are many different types of courses, but they are primarily aimed at the types of work which offer good prospects of permanent jobs. The training is paid for by the

Higher education basically comprises a complete range of post-secondary school education, including postgraduate studies. These activities are subject to the provisions of a special Higher Education Act and detailed Ordinances. Education takes place under government supervision, but the regional and local higher education bodies have a considerable say in the preparation of syllabuses and the disposition of courses. Education is free of charge and is financed out of public funds. Higher education is open to those who have completed an upper secondary school study course lasting at least two years and who satisfy certain requirements as regards subjects and courses taken, depending on the study programme applied for, and also to anyone who is at least 25 years of age and has worked for at least four years and satisfies the stipulated requirements concerning previous knowledge for the studies in question. Those who have completed secondary education abroad lasting at least 11 years are also eligible. A knowledge of English is a basic requirement for admission to higher education.

Staff training in companies, public administration and organizations is not part of the public educational system, but represents an important and growing educational sector. Staff training is normally paid for by employers and often takes place during working hours on full pay. Most of this training is given in courses lasting 1-5 days. The length of training varies a great deal depending on whether the participants perform more or less qualified duties. Employers decide who to accept for training after consultations or negotiations with the trade unions.

Article 10

States Parties ... ensure

10 (a) The same conditions for career and vocational guidance, for access to studies and for the achievment of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical and higher technical education, as well as in all types of vocational training;

Pre-schools, i.e. day nurseries, family day nurseries, part-time pre-school groups and open-plan pre-schools, are one of the child care facilities provided by local authorities. It is estimated that about two-thirds of all children aged 1-7 will benefit from one or another of these forms of child care in 1987. The Government has decided that the provision of pre-schools will be increased so that, within the next few years, places will be available for all children from the age of 1 1/2. No distinction is made between boys and girls in the allocation of pre-school places. Attendance at pre-schools is, as will have been understood, not compulsory. All children over the age of 6 are, however, entitled to three hours a day in a part-time pre-school group. (See also under Article 11.2, sub-paragraph (c))

Vocational guidance and study choices in compulsory school

Study and vocational guidance is provided both in compulsory and upper secondary schools. This guidance is attention should be paid, when guidance is given, to sex roles and choices made according to the sex of pupils. Teachers are also required, wherever possible, to give advice and support concerning choices of study courses.

The first significant choice of studies is made by pupils in their sixth year of school (12 years old). They have to choose between general or advanced courses in English and mathematics and an optional course for classes 7-9. Most pupils choose advanced courses in both English and mathematics. There is no great difference between girls and boys in this case. But when it comes to choice of optional courses, girls tend to choose a second modern language (French in preference), while boys more often choose technological subjects. Only one subject can be chosen, and, as a whole, the majority of pupils choose a language. In a widely publicized experiment a local authority was granted permission by the Government to provide an optional course consisting of a language and another subject, which gave the girls a chance to take a technological course too.

Study and careers counsellors and other members of the school staff are thus supposed to pay attention to sex roles in connection with study choices. The study and careers counsellors' basic and further training contains courses on equality between women and men, but this is often not the case with teachers. No detailed study of the treatment of sex roles and equality in study and vocational guidance has been carried out. Many counsellors are interested in these matters and work actively to get girls to choose less traditional courses, while others

Upper secondary school

Pupils are faced by an important choice when in their last year of compulsory school. Since the prospects of a 15- or 16-year-old getting work are very limited, the choice confronting most pupils is which course programme ("line") to choose in upper secondary school. The choices made show that both social and family background and sex play a big part. Children whose parents have little formal education tend to choose a shorter course programme, which normally means a 2-year vocational training programme. The difference between the sexes generally shows not so much in the length of course programmes, however, as in their orientation. The figure below shows that in many course

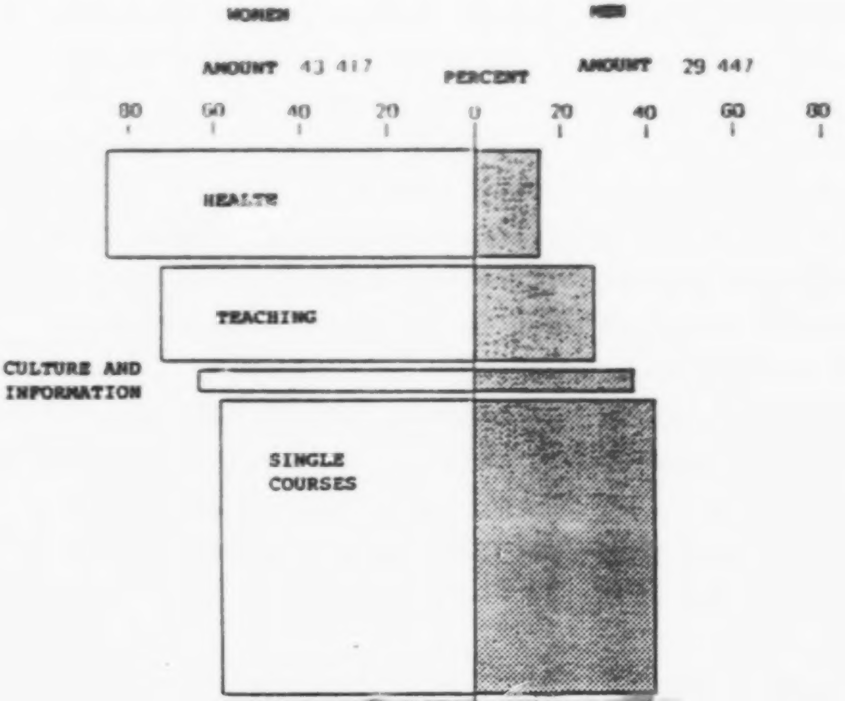
Course programme	Percentage of girls	
	1971	1985
Community care	-	96
Consumer studies	99	89
Clothing manufacture	87	98
Nursing	98	90
Humanities	80	86
Distributive trades and office work	66	68
Social science studies	69	71
General studies	81	62
Economics (3-year)	46	62
Economics (2-year)	52	57
Music	50	57
Food technology	36	55
Gardening and landscaping	-	56
Natural sciences	41	49
Agriculture	26	38
Technology (4-year)	7	22
Process engineering	4	9
Woodwork	5	7
Production and maintenance engineering	-	4
Electro-telecommunications engineering	0	3

programmes there is almost total domination by one sex or the other. If one compares the percentages with the 1971 statistics, it can be seen that the proportion of girls in the 2-year vocational course programmes has increased, but only marginally. However, the proportion of girls in the 3-year natural sciences course programme and particularly the 4-year technical course programme has increased more noticeably. These courses also attract a comparatively large number of pupils today. The proportion of boys in the nursing, consumer studies and other programmes with a large majority of girls has increased during the period.

The proportion of pupils who apply for and are admitted to upper secondary school has increased throughout the 1970s and 1980s. Almost 90 % of the pupils who leave compulsory school are now admitted to upper secondary school. The proportion of girls is somewhat smaller in this respect than boys, which in practice means that a slightly larger number of girls than boys are eligible for the follow-up schemes for which local authorities are responsible. If the number of applicants for a course programme is larger than the number of places, a selection has to be made among the applicants, normally on the basis of their final marks in compulsory school. Since the beginning of the 1980s a provision exists according to which a pupil who applies for a course programme which is dominated by the other sex is awarded extra "points" on top of his/her total grades. This addition is only of marginal significance for the selection process, but is an important sign of encouragement for these pupils on the part of the school authorities.

Higher Education

with men. Only in 1923, with the passing of the Competence Act, was it decreed that women had the same competence as men with regard to employment in government service. Today, access to higher education is governed by the same principles as apply to upper secondary school. A selection of applicants is made on the basis of their grades from secondary school with additional points for work experience, where applicable. For applicants who do not have secondary school leaving certificates, or have ones dating from the previous system, selection can be made by means of a special university standard aptitude test. With regard to the orientation of studies there are still great differences between the sexes, although these have diminished in recent years. The figure below shows the distribution of male and female first-year students in the various educational sectors of higher education in 1984/85.



The proportion of women among first-year students has been about 60 % since the end of the 1970s. The predominance of women among those taking degrees is even more marked: about 65 %. One reason why female students are in a majority is that many study programmes for the health professions, e.g. for registered nurses, have been incorporated in the higher education system since 1977. The percentage of those actually taking their degrees is particularly high in training for the health professions.

Great efforts have been made to interest girls and women in higher technology and engineering education. In the last decade the number of new female students in graduate engineering courses has increased by 110 %, and today female students represent about one-fifth of all students.

The percentage of women among those taking doctorates in recent years has been about 20 %. In the mid-1960s the figure was 11 %. The percentage of women who start postgraduate studies is, however, about 30 %. The further postgraduate careers advance, the lower the percentage of women. In 1984, the proportion of female associate professors was 12 % and that of professors 5 %.

All institutions of higher education have study and, to some extent, careers counselling, which is available to all who so desire.

Article 10

States Parties ... ensure

10 (b) Access to the same curricula, the same

As mentioned above, women and men in the Swedish public education system have equal access to different kinds of education and also have the same opportunities to take examinations. However, as has also been mentioned, in many courses of study there is a predominance of one of the sexes.

The qualifications required of those seeking teaching posts in the state school system are high. A degree from one of the teacher training study programmes is a requirement applying both to women and men, regardless of whether the post concerns theoretical or vocational subjects. Consideration of qualifications on other grounds is only possible if someone has long practical experience as a temporary teacher or similar qualifications. There is a shortage of trained teachers in a few subjects, e.g. some technological specialities.

The distributuion of the sexes among teachers is biased in two respects. First, there are more women the lower the level. In pre-schools and primary schools the female teachers predominate, while the proportions are the reverse in higher education. Second, there is a bias in the distribution of the sexes by subjects: most teachers of technological subjects are men, while women predominate in subjects like home economics and languages.

Since classes are mixed in the state education system, there are no general differences in the standards of premises and equipment with respect to the education of girls and boys. The local authorities are responsible for these arrangements. The equipment in the case of technical subjects, where boys are predominant, are, for obvious reasons, the most costly, particularly since technical developments necessitate continual renewal of the equipment.

Article 10

States Parties ... ensure

> 10 (c) The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods;

Ever since girls' schools were abolished in the mid-1960s, coeducation and mixed ability classes for all have been one of the guiding principles of educational policies.

The Compulsory School Curriculum of 1980, which has been in force in its entirety since 1982, stipulates unequivocally, as has already been mentioned, that the school system is to promote equality between the sexes. Traditional ideas about sex roles are to be subjected to critical examination and school administrations are to make sure that schools are provided with teaching material on sex roles. It is also laid down that the syllabuses for the various subjects are to contain material dealing with the question of equality. Here are some examples from such syllabuses:

Art education: "Observation of

Home economics: "How equality in the home influences people's potential for equality at work and in leisure activities."

Social studies: "Equality between women and men at work and in society ..."

In conjunction with the work experience programme which extends over a total of 6-10 weeks of a pupil's compulsory schooling, the curriculum prescribes that girls are to be given an insight into professions where men predominate and vice versa.

The Compulsory School Curriculum is also specifically concerned with giving boys and girls identical education. Home economics and technology are compulsory for all children from intermediate level, and the study of children and childhood at senior level. Home economics teaches children to plan and carry out the tasks involved in running a home, e.g. cooking and washing up. The purpose of the subject technology is also to provide the pupils with practical knowledge which will be useful to them in their daily lives. Craft includes textile craft, woodwork and metalwork, and no distinction is made between girls and boys at any time in this respect. In addition, all pupils, irrespective of sex, have to learn to type at school.

The curricula for upper secondary schools and local authority adult education, as well as the guidelines relating to labour market training, also state that attention should be paid to the question of equality between women and men and that teaching should not be characterized by traditional sex roles. No mention is made of equality in the general regulations applying to higher education, but some of the study programme syllabuses contain directives on this subject.

Despite the fundamental goals and regulations relating to equality between women and men, and despite the work done in school to promote equality, the attitudes of the majority are still marked by traditional thinking. Children's attitudes are already established by the time they start school. And many research findings suggest that girls and boys are given separate treatment from the very first class.

Many girls are ready for school, well-adjusted and capable of benefiting from teaching at an early age. Boys tend to be more restless, and find it difficult to sit still and keep quiet when someone else is talking. Studies have shown that many teachers, both male and female, find boys more interesting; they regard them more as individuals and devote more time and attention to them. Girls, according to these studies, are allotted a more passive role and have to fend for themselves. Teachers tend to regard them more as a collective, as evidenced by the fact that many teachers take longer to learn the girls' names.

According to other studies which have been carried out on this subject, children still have traditional ideas about which jobs are more suited to women or men. However, few girls today believe, as often used to be the case, that they will not have jobs when they are grown up.

Teachers and teaching materials

Textbooks, which are only one of the many different kinds of teaching materials used in schools, are not produced by the State but by educational publishers. They are to be in conformity with existing curricula and with the syllabuses laid down for individual subjects. The Government arranges for certain textbooks to be examined and also carries out studies on an interdisciplinary basis. New textbooks are produced all the time, but local authorities are free to decide how much to spend on new books. The treatment of sex roles in school books has improved over the years, but the standard still varies a good deal. A recent interdisciplinary study of sex roles in language materials for compulsory schools was very critical of the sex roles reflected in them. Textbooks in natural sciences subjects, such as physics, have recently been the subject of discussion on account of the extent to which they succeed, or do not succeed, in making these subjects interesting to girls. In several of the projects for which the Ministry of Labour has allocated funds (see also Article 4.1 and Article 11.1, sub-paragraph (c)), alternative teaching materials have been produced for natural sciences and technological subjects. The purpose of this is to base the teaching on problems and phenomena of interest to girls.

As was mentioned in conjunction with sub-paragraph (b) above, the sexes are unevenly represented among the teachers. It is important to bring about a change in this respect, since students are influenced by the examples of their teachers and this bias contributes to their ideas of sex roles. The proportion of male teachers in pre-schools is at present about 9 %, which is nevertheless an increase compared with 15 years ago. Studies show that men who train to become pre-school teachers often leave the profession to become administrators etc. The proportion of men at the primary level is even lower, about 1 %, and the figure for the intermediate level is about 35 %. Following the decision made in 1985 to provide identical compulsory school teacher training for both women and men, the extremely biased distribution of the sexes at the primary level is likely to be rectified in the long term. The balance between the sexes in compulsory and upper secondary school is fairly even as a whole, but it is biased in certain subjects. The majority of head teachers and principals in both types of school are men. According to a recent study, however, the proportion of women is on the increase, and amounts to about 30 % in appointments made in recent years. Efforts will continue to be made to increase this figure by recruitment-training measures.

Measures and projects

The aim of the special efforts made in the education sector in the last decade to promote equality between women and men has primarily been to broaden the choices of studies and occupations made by female pupils. Girls tend to choose professions in nursing, office work and commerce. Many of them later get jobs in the public sector. Since the expansion of the public sector has slowed up in recent years, there is a risk that women will find it difficult to obtain permanent jobs in future. One of the above-mentioned special efforts is the payment of government grants to local authorities, starting in 1985, for summer courses in technology for girls (see also Article 4.1). These courses usually last two weeks and give the girls a practical and theoretical idea of the vocational technological course programmes in upper secondary school. Government grants are also paid for projects to improve the technical knowledge of pre-school children. Other projects and efforts concern invitations to women who work outside the traditionally female professions to talk to schoolgirls about their work, engineering workshops for girls, support for girls who have chosen technology courses in upper secondary school, training of girls as auxiliary teachers of computer science and support to girls in starting and completing higher education in technology. The projects cover both teaching methods, teaching materials and other development work.

As regards teaching methods the National Board of Education has informed the Government that it intends to draw the attention of teachers to the way in which their teaching, according to the research mentioned above, tends to lead to the conservation of sex roles. In order to help girls in compulsory school to become interested in the natural sciences and technology, the Government and Parliament have also sanctioned experimental activities involving temporary classes in these subjects for girls alone (see also under Article 4.1). These may, for example, be optional technological courses at senior level or laboratory lessons in physics.

Article 10

States Parties ... ensure

> 10 (d) The same opportunities to benefit from scholarships and other study grants;

There are several different kinds of study support in the public education system. 9-year school is free of charge and compulsory for all children up to the age of 16; no study support is paid, apart from the child allowance, which will be described more fully in Article 11.1, sub-paragraph (e). Students in upper secondary school receive study assistance, which consists of a grant paid to all students and means-tested supplementary payments, e.g. for those living away from home. Secondary school students over the age of 20 and students in adult education programmes receive higher education grants. Students in higher education receive study grants and can also receive government-subsidized study loans if they so wish. Adults with only elementary education can study at upper secondary school level on special study grants for adults, which are larger than the other grants. No distinction is made with regard to sex in the case of any of these forms of study support. The guiding principle is that everyone who is willing to make a slight economic sacrifice can complete their studies at all levels.

Scholarships also exist, but are only of marginal importance for a student's economy compared with the support described above. There are, moreover, a large number of scholarships for studies in other countries. Many girls, as well as boys, at upper secondary school benefit from these.

Article 10

States Parties ... ensure

> 10 (e) The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;

Recurrent education has for decades been one of the cornerstones of Swedish educational policy. The chief instruments for the implementation of this policy are an expansion of local authority and other adult education combined with the study support described above (Article 10 (d)) and legislation concerning the right to study leave. It is also essential that adequate child care is available. The majority of students in local authority adult education, about 60 %, are women. Women predominate particularly in subjects like languages, social studies and artistic subjects. Women are also in a majority in colleges of adult education and study circles arranged by study associations. A special women's college of adult education was founded in 1985.

Adult education has greatly contributed to narrowing the gaps in education between the older and younger generations. It has also made it possible for many women to pursue higher studies after a period in the home and/or in a job. Of course, adult education also provides an opportunity for younger women who, for one reason or another, have not received a secondary school education, to do so at a later period.

The basic adult education described in the introduction to the comments on this Article gives both native Swedes and immigrants an opportunity to acquire basic reading, writing and arithmetic skills. Most of the students are immigrants with a native language other than Swedish. Two-thirds of them are women, but only one-third of the Swedish students are women. The number of functionally illiterate immigrant women will probably continue to be high, due to the substantial influx of refugees.

Participants in basic adult education must have residence permits under the Adult Education Act. This means that long- or short-term applicants for asylum do not have access to this type of education. But they can, after a short qualifying period, take part in Swedish courses for immigrants. Discussions have taken place on the subject of better co-ordination between basic adult education and other adult education, for example within the framework of labour-market training programmes, as a means of providing a reduced course of studies for all those who are under-educated. For many the step from basic education to the more advanced types of adult education is too long. In one of the projects for which the Ministry of Labour has provided funds, co-ordination on these lines will be tried. In addition, an attempt will be made to overcome the difficulty of combining part-time basic education with a part-time job.

Staff training in private companies and public administration also provides an opportunity for recurrent education. Both women and men take part in such training. However, studies show that women receive shorter periods of such training than men. Women in manufacturing trades, in particular, seldom get staff training. It is normally the employer who pays for and decides who is to take part in training. What are known as the funds which were established in 1985 may, however, make it possible for under-educated women to take part in training following agreement with the local trade unions.

Article 10

States Parties ... ensure

> 10 (f) The reduction of female student dropout rates and the organization of programmes for girls and women who have left school prematurely;

In the Curriculum and other directives relating to the education system it is stated that schools should give all pupils the support they need so as to complete their education, whether it be at compulsory school or upper secondary school.

A small group of young people leave compulsory school without having completed their education. Total dropouts are rare, less than 1 % of the total number of pupils. Pupils may also be allowed to take part in a reduced course of studies, which means either that certain subjects are dropped and more time spent on others or on other activities, or that a pupil spends part (not more than 80 %) of the school week at work. The latter measure is to be applied restrictively, only when it is considered that no other solution is possible in the circumstances. Reduced courses of study, where a pupil spends the rest of his time at work, occur mainly in the last year of compulsory school and involved 2.3 % of all pupils in 1982. Reduced courses of study are two to three times more common among boys than girls. Adjustments in the normal school timetable which involve lessons being dropped in science subjects and physical education are more common in the case of girls than boys.

The percentage of those who go on to secondary school after compulsory school is high, about 85-90 %. Studies are quite often interrupted and choices of study courses altered, especially in the first year. The total dropout rate is about 16 % for girls and 14 % for boys. Dropping out occurs more often in course programmes with low status than in those that are popular. The dropout rate in the case of girls who start a course which is not traditionally popular among girls is high, in fact over 40 %. Dropping out is particularly common among girls in programmes in technical subjects. Often these programmes are not the girls' first choice. But the difficulty of adjusting to the typically male environment is also an important cause of dropping out. The National Board of Education has in recent years taken note of these problems and has used various methods to try to change the conditions which cause dropping out. Some of the projects instituted by the Ministry of Labour also contain effective measures to address these problems. No corresponding problems have been encountered in the case of boys who choose courses not traditionally popular among boys.

The National Board of Education and the local authorities offer dropouts from upper secondary school, and those who never even apply, the opportunity of practical work, an ordinary job or some form of education. Many of these young people are not particularly keen to study and are not confident in their ability to study. The personnel engaged in follow-up schemes often put a great deal of work into compensating the shortcomings in these young people's education by various means and giving them confidence in their ability to study. Following a Government decision in 1986, experiments will be started, the purpose of which will be to provide these young people with at least enough vocational training to enable them to go on to more complete vocational training later. The intention is not, however, to establish permanent separate course programmes for this group. The guiding principle is to try to motivate them to complete a course of study in ordinary upper secondary school. The purpose of a review now in progress in the Cabinet Office is to create upper secondary schools that are sufficiently adaptable and flexible as to serve as schools for everybody according to their ability.

As already mentioned, the graduation rate among female higher education students is relatively high, particularly in the study programmes for the health professions. In institutes of technology the proportion of those who obtain degrees in standard time is 75-80 %. Women do not drop out to a greater extent than men. There are some projects in institutes of technology which provide extra support for female students.

Article 10

States Parties ... ensure

> 10 (g) The same opportunities to participate actively in sports and physical education;

The Compulsory School curriculum states that physical education should normally be given in mixed classes. An earlier curriculum, from 1962, specified that boys and girls should be given physical education in separate groups from class 5. Coeducation in this subject probably occurs in about 3/4 of all classes today. The 1970 Curriculum for Upper Secondary Schools does not mention this matter. However, the tendency here is also towards more mixed classes for physical education. The syllabuses relating to this subject recommend that an interest in sport should be stimulated among girls by letting them take part in team sports together with boys. The recommendations also say that opportunities should be provided for different interests within the framework of the subject.

Physical education is usually provided for three lessons a week both in compulsory school and throughout upper secondary school.

Women do not take part in sports to the same extent as men. This applies particularly to young women. In the last decade, however, there has been a considerable increase in the number of girls and women taking part in team sports. (See also under Article 13, sub-paragraph (c)).

Article 10

States Parties ... ensure

> 10 (h) Access to specific educational information to help to ensure the health and wellbeing of families, including information and advice on family planning.

Education about health, sex and personal relationships is given mainly in compulsory school and, to some extent, in upper secondary school. All pupils in compulsory school are taught according to the same programme. These matters are also dealt with in subjects like home economics, study of children and childhood, physical education and general science. Here are some extracts from specific syllabuses:

Physical education	Pupils shall acquire knowledge about how to look after their bodies and their health, how people function at work and at rest, about various handicaps and correct positions and movements for different types of work.

Home economics	Pupils shall acquire knowledge about the importance of diet, hygiene and the environment for health and well-being. Teaching shall establish good habits with respect to diet and hygiene. Personal relationships and relations in the family, between adults and children and vice versa (shall be dealt with). Standards, rules and laws are important for personal relationships and co-operation.
General science	Reproduction, birth, ageing and death. Human development, especially during childhood and adolescence. Matters connected with sex and personal relationships are to be discussed in class. The aim of the teaching is for pupils to understand the functions of the human body. It is to deal with various health problems, e.g. those connected with different kinds of work environment and dependence on various substances. This is to give pupils knowledge of various health hazards and about how to keep healthy.

In upper secondary school, education about health, sex and personal relationships are dealt with in subjects like Swedish, religion and ethics, civics, philosophy, psychology, biology and general science. The amount of teaching received depends on the study course chosen. Certain course programmes, e.g. consumer studies and nursing, also offer special subjects like education about family life, childhood and adolescence studies, anatomy, physiology, health and hygiene, nursing, pathology etc.

Owing to the distribution between girls and boys in the various course programmes, it is evident that, on average, girls get considerably more education about matters to do with diet, health, sex, personal relationships and the like.

Girls from families without educational traditions, who have poor marks and are not keen on studying, often display a great lack of knowledge about matters of health, diet etc. They tend to have an ill-advised way of life and often become pregnant at an early age, and are thus a risk group as regards opportunities, well-being and participation in the life of the community as a whole. The compulsory school has a great responsibility when it comes to preventive measures for these girls.

Education on sex and personal relationships is considered so important by the National Board of Education that a special manual has been published as a supplement to the Curriculum: "Instructions concerning Interpersonal Relations". National Board of Education, 1977.

This type of education has a very long tradition in Sweden. As early as 1935 a Commission submitted a report containing proposals for more and better education and information in school on matters concerning sexual relationships. In the mid-1960s the Government summoned a number of experts to carry out a review of sex education. The resulting report was published in 1974. On the basis of this report and the comments on it, the Government instructed the National Board of Education to prepare a new teacher's manual, and this is still in use.

In various evaluations that have been made of the education on sex and personal relationships, it has been noted that this has improved, but a great deal still remains to be done. Teacher training programmes concentrate on teaching specific subjects, and there is little scope for students to improve their ability to talk to pupils about sex and personal relationships. The problem of AIDS has stressed the need of improving the teaching of this subject in schools.

Schools also offer youth health and preventive counselling services, which, among other things, give advice and support to young girls on matters concerning sex and personal relationships.

Article 11

> 11.1 States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:

Before an account of Sweden's implementation of each of the sub-paragraphs under Article 11, some remarks will be made, by way of introduction, about Swedish labour-market policy and Swedish regional policy.

Labour-Market Policy

Labour-market policy forms part of governmental economic policy, the overall aims of which are rapid economic progress, full employment, a low rate of inflation and an equitable distribution of incomes. Sweden's labour-market policy is founded on three basic principles:

- the goal of full employment. By this is meant that everyone who wants work shall have the opportunity to find it,

- the employer and employee organizations also share responsibility for labour-market policy,

- an efficient administrative structure is needed to carry out labour-market policy.

There is a broad consensus among the political parties in Sweden about the main lines of labour-market policy and the goal of full employment.

Labour-market policy measures can be classified according to their objective. The intention of certain measures is to bring together employment openings and job-seekers at a particular point of time - what are called "matching measures" - which mainly consist of job placement. Other programmes are aimed at influencing the supply of labour, i.e. primarily measures to encourage occupational and geographic mobility. Finally, certain activities are intended to influence the demand for labour, either by means of subsidies to retain or increase employment at companies or by means of individually oriented measures such as relief work or efforts to create employment for older people or the occupationally handicapped. Apart from these active forms of aid, there is also payment of cash benefits to the unemployed.

Traditionally, however, the "work strategy" has dominated labour-market policy, i.e. the philosophy that people who, after intensive placement and counselling, are not absorbed by the regular market should be offered training with training grants at least equal to unemployment benefits, mobility assistance, rehabilitation measures or, through state subsidies, temporary work paid at going rates in the public or private sector. In this perspective cash-assistance is the last resort and only when the active measures possible have been exhausted.

Labour-market training adopted to meet individual requirements (excluding in-company training) is one of the most important means of influencing and changing the available supply of labour. The training programme is primarily intended to help unemployed people and hard-to-place job-seekers who lack occupational skills (see also under Article 10).

The authorities forming the Labour-Market Administration are responsible to the Cabinet and the Ministry of Labour for implementing government labour-market policy. The administration is made up of the National Labour Market Board, the National Employment-Training Board and county labour boards, the employment services and the employability assessment centres.

The National Labour-Market Board, which is the central administrative agency for general labour-market matters, oversees the county labour boards and employment offices. In their turn, the county labour boards are responsible locally for general labour-market matters and for the employment services.

In the Instructions governing its work, the Labour-Market Administration was given special responsibility for the promotion of equal opportunities between women and men. In 1984 a programme for the Administration's province was adopted for the future work on these questions. According to this programme, active efforts must be made in various contexts, such as the allocation of jobs, to influence women and men to choose an occupation and training irrespective of their sex.

Regional policy

To make employment, services and a good environment available to everybody, wherever they live, is the main objective of Swedish regional policy. In order to achieve these objectives, the Government and Parliament have laid down a set of regional-policy measures and specified guidelines for the implementation of Sweden's regional policy. (See also under Article 11.1 (c) concerning Instructions to the county administrative boards, and Article 14 concerning rural women).

Sweden is, by European standards, a country large in area but with a small population (8.3 million); this gives an average of less than 20 inhabitants per km^2 (52 inh./sq.mile). The population is very unevenly distributed. When a comprehensive regional policy was introduced in the 1960s, rapidly diminishing employment in agriculture and forestry was the basic reason for the regional imbalance. In 1960 about 15 % of those gainfully employed worked in these sectors. This figure fell to 8 % in 1970 and is at present (1986) about 5 %. The severe population drain in the 1960s, with a net outflow of more than 10 000 inhabitants each year from the northern part to the growing industrial regions further south, was one of the major reasons for the location support policy introduced in 1965. In Sweden the sparsely populated northern counties and some other counties are still losing population, but at a slower rate than in the 1960s.

The regional-development support provided consists of location grants, investment grants, location loans and conditional support.

In order to qualify for regional-development support, companies and firms must fulfil the following conditions:

- they must be viable and able to provide permanent employment for their present and new employees,

- at least 40 % of the jobs created should be available to either sex (this rule can be waived in special cases),

- employees must receive pay and other benefits which are at least equivalent to those required by the relevant collective agreements,

- the company must employ an authorized public accountant to audit its books.

Location grants can only be awarded if (a) the investment leads to increased employment, (b) a company has to be re-organized, (c) a company which is of vital importance for employment in the region has to be replaced or nationalized, and if this company would otherwise have to close down without the investment that cannot be made without a location grant.

The amount of the location grant is decided in each individual case. Considerable regard is given to the job-creating capacity of the investment. The maximum amount, which varies according to the area, is determined as a percentage of the cost of the investment.

The sex-quota condition applies provided that at least four new jobs are created.

Location grants and loans contributed in the 1985/86 fiscal year to the financing of investment amounting to a total of SEK 2 200 million. This can be compared with Sweden's total industrial investment in buildings and machines that year of SEK 29 000 million.

It is estimated that there will be a total increase in employment with the aid of location support of some 3 500 people a year; this can be compared with the total increase in industrial employment in Sweden of about 10 000 - 15 000 persons a year during the last few years.

An evaluation of the sex-quota condition shows that 38 % of the newly created jobs at the companies receiving location support have gone to women. A more detailed evaluation of the sex-quota condition, which is also to throw light on what type of work women do, will be available in the latter part of 1987.

* * *

In 1985 the Swedish Government put forward an action programme to improve the conditions of women on the labour market. This programme will be more fully described under sub-paragraph (c) of this Article.

As was mentioned under Article 2, sub-paragraph (d), there are now, as a supplement to the Equal Opportunities Act, collective agreements on equal opportunities for practically the whole labour market.

Article 11

States Parties shall ... ensure ...

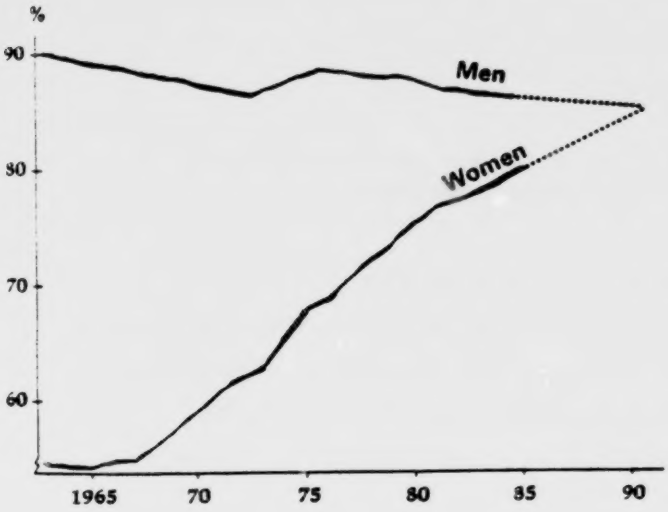
> 11.1 (a) The right to work as an inalienable right of all human beings;

As described under Article 2, sub-paragraph (a), the Instrument of Government, which forms part of the Swedish Constitution, lays down as one of the fundamental tenets of the Swedish system of government that it shall be incumbent upon the community to secure the right to work.

The Equal Opportunities Act has also been fully described under Article 2.

The principle of the right to work will be approached by the presentation of statistics on labour-force participation and unemployment. It should be noted that the term "labour-force participation", as used in this report, means participation in the gainfully employed workforce. The value of the work performed in the home is not recorded in the Swedish gross national product. It should also be noted that the labour force in Sweden includes people who are gainfully employed if they have had employment or are temporary absent from work. People are classified as unemployed if they are not gainfully employed and are actively seeking employment.

There are 2.3 million women and 2.4 million men aged 20 to 64 in the Swedish labour force (1985). This is 82.2 % of all women and 90.1 % of all men in the country. As can be seen in the following chart, there has been a convergence in the employment participation of women and men. If this trend continues, the numbers of men and women in employment will be roughly the same by the beginning of the 1990s.



Relative employment participation rates, 1985

From 1970 to 1985 the proportion of women in the labour force has increased from just under 40 % to rather more than 47 %. In the year 2000 it is expected that women will constitute half of the labour force. The proportion of all Swedish women who are included in the labour force has also risen without interruption from 60 % in 1970 to 82 % in 1985.

Women and men aged 20-64 in the labour force

Total population: women 2.38 million, men 2.43 million

	Women (%)	Men (%)
in the labour force	82.2	90.1
of which gainfully employed	79.9	87.6
Unemployed	2.8	2.7

Young people aged 16-19 in the labour force

Total population: women 0.11 million, men 0.11 million

	Women (%)	Men (%)
in the labour force	48.5	44.7
of which gainfully employed	46.3	42.6
Unemployed	4.5	4.7

In the 1970-85 period, the proportion of unemployed women aged 20-64 has varied between 1.5 % and 3.2 %. The corresponding percentages for men are 1.1 % and 3.1 %. In the whole period from 1970 women have had a somewhat higher rate of unemployment than men, but the difference has decreased during recent years.

The large increase of women aged 20-64 in the labour force consists to a great extent of women with children under seven years of age. The proportion of women with small children in the labour force has increased from 63 % in 1976 to 85 % in 1985. For women not having small children, the percentage has increased from 85 % to 92 %. The percentage of women working part time is however much larger among mothers with small children than among other women. Reference should be made to sub-paragraph (b) for comments on part-time work.

One of the most marked characteristics of women's employment participation is its uneven regional distribution. This, however, is becoming less apparent. Women in urban communities, especially the big cities, have a much higher employment participation rate than in small towns and rural areas. Many small industrial communities are dominated by a single industrial undertaking in which jobs are not readily available to women.

* * *

In December 1983 Parliament passed an Act establishing youth teams with public employers. As from 1 January 1984, Swedish local authorities have guaranteed all 18- to 19-year olds who cannot find employment work in youth teams, some kind of training, or participation in other labour-market schemes. Other public employers will also provide jobs.

The Act on Employment in Youth Teams with Public Employers ("the Youth Teams Act") relates not only to all 18- to 19-year-olds but also to physically disabled young people up to the age of 25.

Youth-team employment provides four hours work a day for all young people who are not entitled to unemployment benefit. Those who are entitled to unemployment benefit can choose to work eight hours a day. Employees in youth teams are to be paid contractual wage rates.

In addition to the four hours' work, local authorities are, where possible, to offer young people training of a kind which improves their position on the labour market. This also applies to young people in youth teams who are not employed by the local authority. Local authorities which provide young people with such training will receive a State subsidy. About 60 % of young people in youth-team employment are girls. Since the Act entered into force, the unemployment rates of these age-groups have decreased by more than 50 %.

As an alternative to youth teams, a scheme with introductory jobs in private enterprises with a possibility for further employment has recently been launched.

Article 11

States Parties shall ... ensure ...

> 11.1 (b) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;

The intentions of this Article are mainly implemented through the Equal Opportunities Act, which has been fully described under Article 2, sub-paragraphs (a) - (e).

As shown in sub-paragraph (a) under this Article, women in Sweden have a high employment participation rate. They are, however, employed on different terms. Part-time work is very widespread among women and it is mainly women who are absent from work to care for children.

In 1985, 45 % of the gainfully employed women worked part time as against 7 % of men. The majority of men employed part time are partially retired or students, while most women who work part time do so in order to be able to combine economic activity and child care. Many older women are also employed part time; this has become part of their pattern of life, continuing even after their children have grown up.

The women who worked part time increased their working hours during the 1970s and 1980s. Whereas the proportion of women working full time has remained quite constant, "long" part-time work (20-34 hours) has increased at the same time as "short" part-time work (1-19 hours) has declined somewhat. One survey report indicates that one woman in five who works part time would like to increase her working hours.

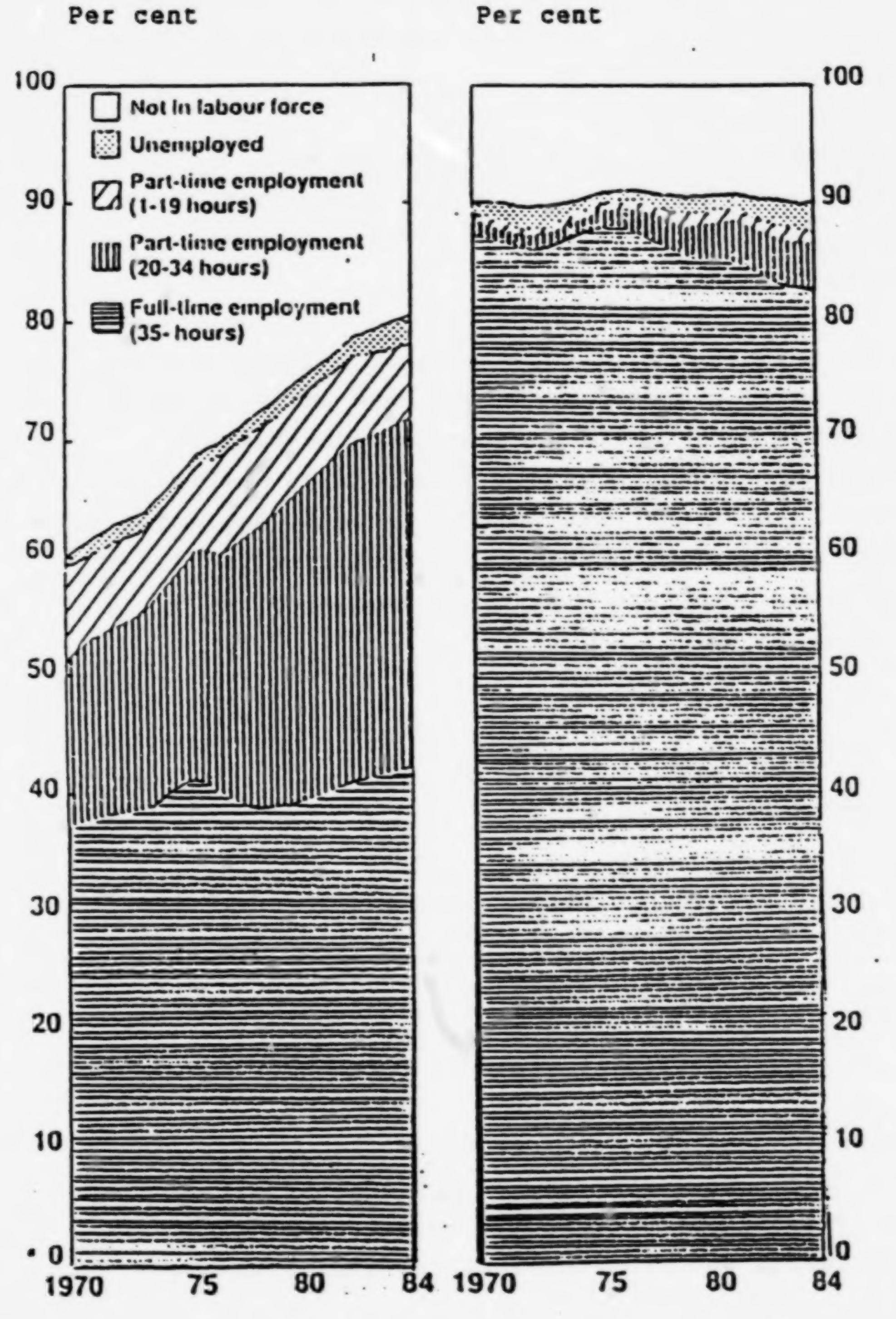
The most common reason why a woman has not increased her working hours is that her employer does not wish her to do so. Working routines have been tailored to suit part-time jobs. Many jobs have been divided into two half-time appointments and employers have quite often taken on part-time employees to cope with peak loads at certain times of the day.

Another reason for part-time employment having become so widespread for women is that the organizational structure of gainful employment was established during the initial years of industrialism; then there was mostly a demand for male labour. In the care and services sectors, the work organization was established in recent times; production was adapted to suit women by providing greater opportunities for part-time and variable working hours. In industry, on the other hand, work is still organized on traditional lines.

Population in the 20-64 year age-group by occupational status.

Percentages 1970 - 1984

Women 1984: 2 375 200   Men 1984: 2 422 900



Employees in Sweden have rather extensive opportunities for taking time off work, with full or limited compensation for loss of earnings. They can do so when they are taken ill or need to stay at home to look after their children. Elderly people can reduce their working hours and receive a partial retirement pension. Employees can also take time off for education and training or trade union activities.

Women and men make more or less the same use of educational leave and sick leave. On the other hand, partial pensions are mostly drawn by men and parental leave is mainly taken by women.

Greater opportunities for leave of absence and the growing proportion of women employed part time have led to a sharp decline in average per capita working hours in recent years. Whereas the law defines a normal working week as 40 hours, true working hours averaged just over 36 hours per week in 1984. But working hours are unevenly distributed between the sexes, with men working an average of 40.4 hours and women 31.6.

Article 11

States Parties shall ... ensure ...

> 11.1 (c) The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;

The intention in this sub-paragraph concerning job security is implemented through the Act on Security of Employment. This Act applies to all employees in the private and public sectors. However, certain groups are excluded: they are employees who hold a managerial or comparable position, those who are members of an employer's family, those engaged for work in an employer's household and employees who have been assigned relief work, sheltered work or work in a youth team.

As a general rule, contracts of employment, i.e. contracts between an individual employee and an employer, are to be of indefinite duration. Contracts for a limited period may, however, be concluded when this is necessitated by the special nature of the work or by a temporary accumulation of work; such contracts may also be entered into in the case of substitutes, trainees or those working after the normal age of retirement (65).

One of the Act's fundamental provisions is that dismissal with notice must be based on objective grounds. Such grounds are not deemed to exist where it is reasonable to require that the employer shall provide the employee with alternative work.

Grounds for dismissals with notice may be redundancy or circumstances related to the employee personally.

In the case of redundancy, the dismissed employees have first option for re-employment by their employer. This option lasts from the date of the notice being given until one year after the termination of the employment. The same applies to employees who have been employed for a limited period for more than 12 months during the past two years (the same qualification-period applies to employees who are employed for an indefinite period).

The Act stipulates a minimum of one month's notice from the employer and the employee. The period of notice from the employer's side rises successively with the age of the employee to six months for an employee aged 45 or more.

During the period of notice the employee is entitled to full pay even if no work is offered, but an employer may deduct any amount that the employee has earned or obviously could have earned elsewhere during this period.

Summary dismissal, i.e. dismissal without a period of notice, may be used only if the employee has grossly neglected his or her obligations to the employer.

The Act contains some basic rules on the order in which an employer may give notice due to redundancy. The main rule is that the principle "last in first out" is to be the guideline when notice is given. This also applies to re-employment options.

Disputes concerning dismissals and other cases connected with the Act on Security of Employment come under the Act on Litigation in Labour Disputes. Basically this means that in disputes involving parties who are bound by a collective agreement, the Labour Court is to be the first and only instance. In other cases, or when an employee does not have the support of his or her organization, the dispute will be tried first by a district court, the decisions by this court being subject to appeal to the Labour Court as a second and final instance.

Choice of profession

When Swedish women in the 1960s and 1970s entered employment in earnest, they were recruited for certain occupations and sectors. Occupational choice became very much an extension of the traditional role of women, i.e. care and service occupations in both the private and public sectors. This traditional vocational choice led women into child care, nursing and the care of the elderly, routine industrial jobs and office work.

The widespread expansion of the public sector opened up a large and growing labour market for women. They were now paid for doing the work they had previously done free of charge at home and they acquired a firm foothold in the labour market. The expansion of the public sector has created jobs for an immense number of women and the existence of these jobs has also made it possible in practice for women to go out to work. Child care, the care of the elderly and an improved public transport system are important factors underlying the internationally high female employment participation rate in Sweden.

This process has also had a serious drawback - the strict sex-segregation of the labour market. Few women have been recruited for work in the industrial, technical and economic sectors, nor have they themselves applied for jobs there. The sex-segregated labour market could constitute a threat to women. A slower expansion of the public sector - chiefly because of a tighter economic policy - coincides with the increasing automatization and computerization of working life, which in many cases could mean that jobs held by women in the industrial and service sectors will disappear.

The gainfully employed population in the 16-64 year age-group by industrial sector, 1984.

Industrial sector	Women Thousands	%	Men Thousands	%	Women Percentage in each sector	Men
Agriculture, forestry	50	3	134	6	27	73
Mining, manufacturing	245	13	706	33	26	74
Building and construction	20	1	224	11	8	92
Commerce, restaurants, hotels	269	14	261	12	51	49
Banking and insurance	140	7	160	8	47	53
Communications, post and telecommunications	85	4	199	10	29	71
Public sector, other services	1 063	57	430	20	71	29
Total	1 870	100	2 111	100	47	53

The labour market is segregated in another way, too: not only do women and men work in different sectors but they also do different jobs in the same sectors. Moreover, the female labour market is much narrower than the male one. Women predominate (constitute more than 60 %) in 44 occupations, while men do the same in 138. The sexes are evenly balanced (40-60 %) in only 14 of the 200 or so occupational fields specified in the 1980 Census of Population and Housing.

This means that the ten most common occupations for women attract more than half of all working women, while the ten most common occupations for men attract 35 % of male employees. These occupations are illustrated in the following chart:

55 % of all women are employed in the following occupations:

No.	Occupation	% women employed
244 200	Secretaries/typists	88
170 200	Paramedical staff	94
119 400	Shop assistants	78
116 700	Cleaners	90
74 600	Childminders	97
57 000	Homehelps	98
56 100	Accountants/office cashiers	82
52 600	Nurses	95
50 000	Junior school teachers	78
44 600	Kitchen staff	92

Total 985 400

35 % of all men are employed in the following occupations:

No.	Occupation	% men employed
110 700	Machine fitters/assemblers	92
101 500	Drivers	94
87 400	Agriculture, forestry and horticulture	68
84 900	Commercial travellers/buyers	82
83 800	Workshop mechanics	84
75 800	Mechanical engineering	98
59 100	Building joiners	99
52 500	Construction engineering	95
52 100	Electricians	94
50 300	Warehouse workers, storekeepers	81

Total 758 100

The structural transformation of industry will increase the demand for technically skilled labour. This may impair the prospects of women gaining a foothold in occupational spheres where men hitherto predominated. Many branches of industry are faced with major readjustments which may lead to a continuing decrease in industrial employment. This may increase the number of men looking for jobs in sectors where women now predominate, e.g. the care professions and services. Although this is to be welcomed in terms of equal opportunities because it will make the labour market less segregated, it may mean keener competition for jobs which have traditionally been entered by women.

Finally, the very rapid expansion of the public sector over the past 20 years is - as mentioned above - expected to slow down. Whereas the numbers in this sector have been increasing at an equivalent of 45 000-50 000 full-time jobs annually, forecasts now indicate an increase of about 10 000-20 000 per annum for the remainder of this century.

But, as also mentioned earlier, educational and vocational choice are still subject to a great deal of sex bias. Young girls mainly opt for course programmes that prepare them for care professions, services and office work. If girls continue in coming years to choose along the same lines as at present, they may find it increasingly difficult to obtain work. Moreover, the ability and experience of women will not be used throughout the labour market.

To preclude this kind of development, the Government has taken extensive action to strengthen the position of women in employment and education.

Campaign to recruit women for industry

During the 1982/83 fiscal year, the Government earmarked SEK 10 million for a campaign called "More Women for Industry". This campaign had two objectives (1) to make girls and women realise that they were needed in industry and other technical occupations, and (2) to make it easier for them to train and opt for technical jobs.

This campaign, which was nationwide, was directed at schools and workplaces, and involved adult education associations and various organizations. Activities were organized in a total of about 100 municipalities and 800 companies.

The campaign clearly revealed the need for specific measures addressed to women (see also Article 4.1).

One important part of the campaign was therefore concerned with influencing the educational and vocational choices of young girls; a number of activities were accordingly organized at senior level in a large number of compulsory schools (aged 7-16), for example:

- the six institutes of technology in Sweden organized a variety of events in 15 of the 24 counties to augment the recruitment of women students for technical course programmes ("lines") in upper secondary school. These events included in-service days for study and vocational guidance officers and teachers. Women technologists visited schools and senior-level girls (aged 13-16) went on field trips to the institutes of technology. Special weekend courses and project camps (e.g. in computer science) were arranged for senior-level girls. Methodological development work was begun for science and technical subjects with the aim of bringing them more closely into line with the girls' previous knowledge and experience.

- in some counties a total of more than 100 women who had opted for predominantly male occupations were asked to describe their experience of having a "different" job. They were given time off from work with full pay to visit schools for this purpose. They were also given a certain amount of training, for instance concerning the labour market, so as to be able to inform the pupils adequately.

The aim of these and other projects was to help change the traditional educational and vocational choices made by girls, partly by conditioning their own attitudes and partly by conditioning the school environment and the teaching conducted there. In the counties where projects have been arranged, direct results have been observed in the form of a distinctly increased proportion of girls among applicants for technical studies.

To improve opportunities for women in preparation for technical changes, special computer literacy training for women was organized at about ten factories in Sweden. This training involved both manual and salaried workers and took the form of study circles in paid working hours.

All women employed by these companies were asked by special recruitment officers whether they wished to take part in the training. The response was almost 100 %, and most women were very pleased with the training. Most of them pointed out that this was their first further training of any kind at the company employing them.

Computer literacy training is to be regarded as a form of general education that supplies basic knowledge but no new vocational qualifications. The obtaining of the latter is the next step. But resistance has been broken down and many of the women are intent on proceeding to more advanced training.

Labour-market training (see also Article 10 and Article 11.1) is a means of improving the job opportunities of people who are unemployed or in danger of unemployment. To strengthen the position of women, above all in industry, a number of labour-market training projects reserved for women were conducted in occupational fields where men predominated.

Where unemployed women are concerned, the following examples may be mentioned:

- o general courses combined with studies at folk high schools (adult education colleges) and in-house industrial training. These courses lasted for 20 weeks, 16 of which were spent in industry. Several of the women obtained permanent jobs with the companies where they trained, while others went on to more advanced training, mostly in a predominantly male sector of employment.

- o to encourage companies to recruit women, a project was organized in which jobless women visited a large number of companies to investigate employment prospects for themselves and other women. Among other things they tried to condition the attitude of employers towards skilled work for women in fields where men predominated. They also discussed the practical problems which women were liable to encounter in industry. A large proportion of these women have obtained jobs - some of them at the companies visited - and others have gone on to further training.

Other projects within the labour-market training scheme have been addressed to women in employment who risk unemployment because of the introduction of new technology. At one company, an 11-week training scheme was organized for poorly educated female industrial workers prior to a reorganization of the company's production line. This was the first time any of the women had taken part in any educational activity for 20 years, and it increased their interest in further education as well as their self-confidence.

Various more advanced training projects, e.g. courses in production engineering, business economics, marketing and information and video technology, have been organized for female employees of small businesses and for women office workers. All these courses have included self-confidence training and have been aimed at increasing the opportunities available to these women for developing at work.

To support immigrant women and to evolve a model for subsequent measures, a number of training projects were organized for immigrant women only. Electrical and telecommunications training was provided so as to enhance employment prospects with electronics companies. Women industrial workers underwent general courses in technology.

Several of the projects also included an exploration of the backgrounds and aptitudes of immigrant women, intensive guidance and an inventory of interests.

The aim of the campaign was to use local projects as a means of gathering practical experience concerning methods of broadening job opportunities for women. The campaign resulted in a very high level of activity throughout the country for a short period of time and its most important effect was in highlighting future problems. Everybody concerned was made increasingly aware of the need for more knowledge about women in the future labour market and of the need for special measures for the benefit of women.

Instructions to the county administrative boards

Each of the 24 counties into which Sweden is divided has a county administrative board, which is part of the central administration and responsible for regional development work. In each county there are special funds for this purpose.

One of the duties of each county administrative board is to submit to the government an annual report including analyses of economic activity, employment and population in their counties.

In addition, the Government can issue the county administrative boards with special instructions. In 1983 they were instructed to draw up regional industrial programmes, and in 1984 they were called upon to analyse the scope of educational facilities with reference to the regional labour market.

In December 1984 the county administrative boards were charged to pay special attention to future employment opportunities for women. In connection with the employment and population forecasts which they have to submit to the Government, they were required to present an analysis of the position of women in the labour market and the education system. In the report to be submitted for its county in 1985, each county administrative board was also required to present programmes designed to strengthen the position of women at regional level. This work was to be undertaken conjointly with the county labour boards and county boards of education.

Many county administrative boards made an excellent analysis of future employment opportunities for women. Problems connected with this assignment and the prospects for further progress at regional and central levels have been discussed at special conferences.

An analysis of the reports by the county administrative boards confirmed that there are major regional differences between counties; however, the similarities between them are more striking than the dissimilarities. Women and men work on different labour markets. The male labour market is oriented to technology and economic matters while the female one is connected with the arts and social-welfare matters. Whereas the majority of men work in jobs directly connected with the output of goods, the majority of women work in the part of the services sector which is connected with individuals or households.

One of the aims of these reports was to throw light on the changes taking place and to ascertain whether there are signs of a shift in the traditional patterns. They have shown that although changes are in progress, the latter are taking place slowly. Above all, it is the women who are breaking into traditionally male sectors. No definite signs that men are finding their way into traditional female sectors could be found.

To sum up: it can be said that the instructions to the county administrative boards have helped to focus the attention of the regional bodies on the conditions relative to women on the labour market and in the educational sector.

As a result of the instructions, many county administrative boards have adopted programmes to cover several years and have also invested some of their own funds in special regional projects.

The Government is keeping developments in this field closely under review.

Action programme to strengthen the position of women on the labour market

In March 1985 the Swedish Government allocated SEK 15 million for a wide-ranging action programme designed to strengthen the position of women on the labour market.

The proposals in the action programme were based principally on experience accruing from the campaign described above. The allocation of new resources made it possible for these projects to be developed further. The action programme recommended policy measures in four fields:

- throughout the education sector, efforts must be made to reduce bias on grounds of sex in educational and occupational choices,
- in the employment sector, special supportive measures will have to be introduced for women entering traditionally male jobs and for women whose jobs can potentially change or disappear as a result of technical progress,
- men must be encouraged to play a more active part in caring for the home and children (see Article 5 (b)),
- women must be more strongly represented in all decision-making and advisory bodies (see Article 7).

The action programme included measures relating to, for instance, project activities from pre-school education to all levels of working life. These nationwide activities are still in progress. Another SEK 15 million was allocated for the 1986/87 fiscal year and the Government has proposed the allocation of a further SEK 17 million for 1987/88. Some of the projects have already been described under Articles 4 and 10. Others will be described in the following:

- some projects have been launched at pre-school level. The aim is for children to be brought into contact with everyday technology at an early age. Teaching aids and technology kits are being constructed for the assistances of pre-school staff. Co-operation is being established with the technology centres that are to be found in some parts of the country.

- girls who have opted for non-traditional lines in upper secondary schools are given special support so as to ensure that they do not discontinue their studies.

- new models will be developed for the further training of teachers, educational and vocational counsellors and head teachers in equality questions.

- women, above all new employees, who have opted for non-traditional occupations are to be supported by means of back-up groups or study circles.

- companies are to be encouraged to induce women, by means of special recruitment measures or changes in working hours or work organization, to enter occupational spheres where men predominate.

- unemployed women are to be offered introductory vocational technical training and retraining. After completing their training, they are to be given a chance to work as trainees in various companies.

The projects have been initiated and overseen by the Equality Affairs Division at the Ministry of Labour.

These projects are being kept under continual review and are being evaluated by a special reference-group whose members are drawn from the relevant ministries, authorities and organizations.

Article 11

States Parties shall ... ensure ...

> 11.1 (d) The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;

The intentions of this Article are mainly implemented through the Equal Opportunities Act, Section 4 (Article 2, sub-paragraph (b)).

The principle of equal remuneration, irrespective of sex, for identical appointments, was first introduced in the public sector in Sweden, in 1947. In 1960 the Swedish Trade Union Confederation and the Swedish Employers' Confederation agreed on an abolition of the special pay for women over a five-year period. It was agreed that women and men should be paid the same for equivalent work.

Since then the principle of equal pay for equal work has also been laid down in the collective agreements on equal opportunities which are described under Article 2, sub-paragraph (e).

Pay differentials between men and women are small in Sweden compared with many other countries. The equitable wage policy pursued during the last few decades has led to a relatively far-reaching equalisation of pay. This has been of great benefit to women in poorly paid jobs. There are still, however, differences in male and female earnings, with women earning on average less than men. Men and women are employed in different sectors of the labour market; typical women's jobs are paid less than those where men predominate. The greatest differences between the sexes in incomes are due to women being so extensively employed part time. They also have a smaller share of overtime pay and shift-work bonuses. Another of the reasons for the difference between male and female earnings is the fact that men work overtime to a greater extent than women and therefore have higher aggregate incomes.

The earnings gap between women and men was between 30 % and 60 % narrower in 1985 than in 1973. In recent years, however, the difference between higher and lower paid categories has increased somewhat for large groups in the private sector. Since women are to a greater extent to be found among the lower paid categories, this somewhat widened gap between the higher and lower paid has also resulted in an increase in the distance between the earnings of women and men after a period in which the gap narrowed. In the public sector the narrowing of differences has continued also after 1983.

The widened gap in earnings between women and men, especially among salaried employees in industry, concerns average wages/salaries. In practice, the gap in industry is, in the main, explained by increased remuneration to a limited group of higher paid employees, this group being made up almost exclusively of men.

In the government administration there has been a corresponding type of increase in the remuneration to a limited group of employees; they are those who receive "market-rate" pay supplements. During 1984-1985 about 90 per cent of all such supplements went to men.

The average earnings of women in 1985 vary according to the various "agreement areas" from about 70 per cent to slightly more than 90 per cent of the earnings of men.

As mentioned above, the narrowing of differences in earnings in the public sector has been more pronounced than in the private sector. In 1973 female government employees received 80 per cent of the pay of their male colleagues. In 1985 the corresponding figure was 91 per cent.

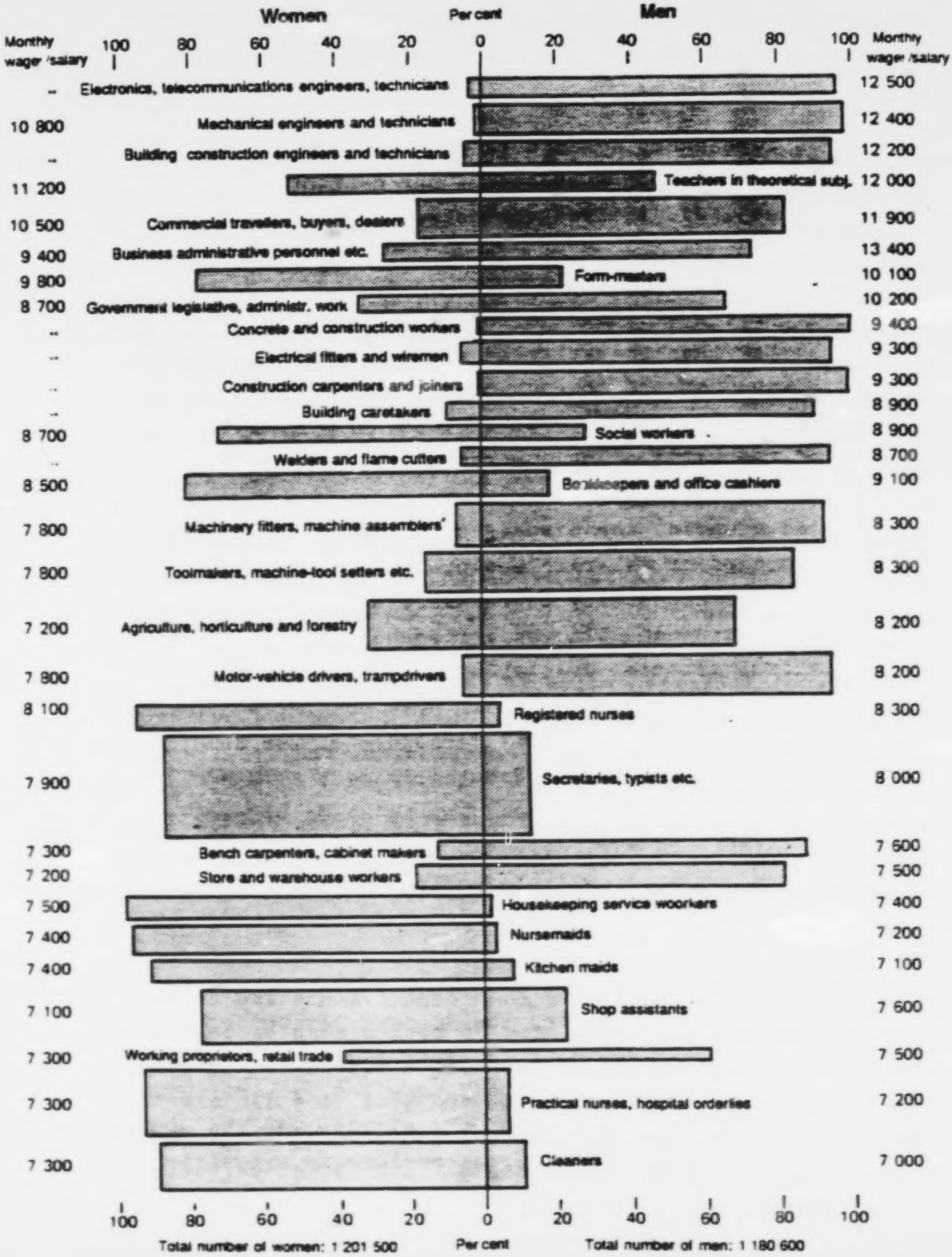
In 1973 female employees working primarily in local authorities had, on average, 74 per cent of their male colleagues' pay. In 1985 the corresponding figure was 87 per cent.

The dispersion of remuneration is smaller for wage-earners in industry than for salaried employees. Nevertheless, the female wage-earners in each branch of industry belong to the lower paid category. On average, they receive 90 per cent of the wages of male workers.

Taken as a whole, the dispersion of salaries is very great in the groups of salaried employees in the private sector. This applies especially to the male employees, among whom those with the top salaries are found. However, the statistical material available relating to the highest salaries is incomplete since it does not include business leaders and executives. As a consequence, the salaries of higher paid employees are underestimated; this applies especially to male employees. The salaries of female employees are, on average, only slightly more than 70 per cent of the salaries of male employees included in the statistics.

The following chart gives a comprehensive picture of the earnings of men and women. The 30 most common occupations have been ranked according to average monthly wages/salaries in 1985. Roughly speaking, the men are to be found in the upper half of the picture and the women in the lower half, even though the pattern is not strictly unambiguous.

The 30 most common occupations ranked according to average monthly wages or salaries of women and men in 1985



The Equal Opportunities Ombudsman has held a number of seminars and conferences on wage-fixing and job evaluation together with representatives of employers' and employees' organizations. These occasions have provided an opportunity for discussing active equality promotion measures which ought to be taken to eliminate pay differentials between the sexes. Measures discussed have, for example, included the reservation of certain funds for pay improvements in collective bargaining for special improvements in women's pay, a review of existing job evaluation systems, the introduction of job evaluation irrespective of a person's sex, comparisons of starting rates-of-pay for women and men, a survey of the development of female as opposed to male pay and the reasons for any differences and a review of the content of job descriptions, especially of the language in which they are formulated, in view of the fact that women and men often use different languages.

In 1984 the Labour Court returned its first and hitherto sole judgment in a pay-discrimination case under Section 4 of the Equal Opportunities Act.

The plaintiff in the proceedings, which concerned the county council sector, was the Swedish National Union of Local Government Officers. Although the case was dismissed, the ruling was not unanimous; there were dissenting opinions. This case highlights the difficulty of ascertaining exactly whether an employee is, or is not, engaged in equal work. The members of the Court disagreed on that point. The minority, for example, drew attention to the fact that jobs can be described in various ways and can be given a higher or lower profile, which depends on who describes them; the implication was that women and men do not describe the same phenomena in the same language.

Article 11

11.1 (e) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave;

As mentioned under Article 4, social insurance in Sweden is defined as including medical, dental and parental insurance, partial, basic and supplementary pensions - all of which come under the National Insurance Act - as well as compulsory work injuries insurance and voluntary unemployment insurance.

All insured persons resident in Sweden are automatically registered at a social insurance office in their county from the month in which they reach the age of 16. The insurance is financed out of government subsidies, contributions from employers and the self-employed, and - in the case of unemployment insurance - contributions from the insured themselves.

The following chart gives a comprehensive picture of the Swedish social insurance system and other benefits.

HEALTH INSURANCE

ALLOWANCES FOR MEDICAL EXPENSES	• Out-patient services • Hospital treatment • Paramedical treatment • Travel expenses • Pharmaceutical preparations • Counselling on birth control • Dental care

SICKNESS BENEFIT	• During illness

MATERNITY BENEFIT

PARENTAL BENEFIT	• in connection with the birth of a child and through the first four years • For temporary care of children

PENSIONS

BASIC PENSION	• Old-age pension • Disability pension • Widow's and children's pensions • Disability allowance • Child care allowance
	SPECIAL BENEFITS
	• Pension supplement • Wife's supplement • Children's supplement • Disability allowance • Municipal housing allowance

SUPPLEMENTARY PENSION (ATP)	• Old-age pension • Disability pension • Widow's and children's pension

PARTIAL PENSION

WORK INJURIES INSURANCE

WORK INJURIES INSURANCE	• Allowance for medical expenses • Sickness benefit • Life annuity • Death benefit

OTHER BENEFITS

OTHER BENEFITS	• Child allowance • Child allowance supplement • Training allowance • Adult study assistance • Military and civil defence training allowance • Maintenance advance • Daily unemployment benefit • Cash labor market assistance • Compensation pay when laid off

Basic Pensions

The national pensions scheme covers partial pensions, basic pensions and supplementary pensions. In all these cases the payouts are determined with reference to the "base amount", which follows the general price-level and is fixed annually. The base amount is widely used as the basis for a calculation of many social-security benefits, etc.

The retirement age in Sweden is 65. This age is now variable, i.e. advantage may be taken of opportunities to retire at any time between the ages of 60 and 70. The partial-pension scheme permits scaling down the time spent in gainful employment, with compensation being granted for income lost at the rate of 65 % up to a specified income level. Pre-retirement pensions come with special and more favourable rules for those who have reached the age of 60. The person who does not have any other form of pension between 60 and 65 may make an advance withdrawal from his or her old-age pension; if he or she does so the monthly benefits are permanently reduced by a specified amount.

To qualify for a basic pension, a person must hold Swedish citizenship. Swedish citizens not domiciled in Sweden are also entitled to a basic pension, its size depending on the number of years they were gainfully employed in Sweden. Furthermore, foreign nationals who are resident in Sweden and have lived in the country for a certain number of years qualify for the basic pension.

An old-age pension from the basic scheme amounts currently for a single person to 96 % of the "base amount", which is at present SEK 23 400 per annum. If husband and wife are both pensioners, their old-age pension amounts to 157 % of the base amount.

In addition they can receive a municipal housing allowance and a pension supplement. A pensioner who only draws a basic pension will always receive those benefits, which are usually exempt from tax.

A person of 16 or older whose working capacity has been reduced by at least half owing to illness, physical disability or mental handicap can obtain a disability pension if his or her working capacity is permanent.

If the handicapped person expects to recover his or her working capacity in whole or in part, he or she will be granted a temporary disability pension in lieu of a disability pension. Anyone who has reached the age of 60 and has work that is too arduous, physically or mentally, can be pensioned ahead of retirement. Elderly people who have been made redundant may also receive a pension earlier by this same rule.

A family pension comprises a widow's pension and children's pension. Under the basic pensions scheme a widow's pension is payable in the following two cases:

1. to a widow who has reached the age of 36 at the time of her husband's death, provided that the marriage has lasted for at least five years prior to his death. A full pension is paid if the widow has reached the age of 50.

2. to a widow having the custody of a child under 16 who is living permanently with her. Moreover, the child must have been permanently resident in the couple's home at the time of the husband's death. In this case neither the age of the widow nor the duration of the marriage have to be taken into account.

A full widow's pension is identical to the old-age pension paid to a person living alone. The widow's pension ceases on remarriage.

A children's pension is payable under the basic pension scheme on the death of one or both parents to any child under 18.

Special benefits

The basic pensions scheme also offers two benefits which are subject to a means test: the wife's supplement and the municipal housing allowance.

A woman is entitled to a wife's supplement of, at most, SEK 25 392 per year, provided that she is married to a man who receives a basic pension in the form of an old-age pension (but not if this pension is drawn ahead of retirement age) or a disability pension provided that she has reached the age of 60 and is not herself in receipt of a basic pension. In addition, the couple shall have been married for at least five years.

Partial pensions

Employees between the ages of 60 and 65 may combine part-time work with a partial pension. This means that anyone who has reached the age of 60 and who reduces his or her working hours will receive a partial pension as compensation for the part of the income loss. However, before obtaining such a pension, the person concerned must show that he or she can obtain a part-time job. The option of taking a partial pension is also available to all self-employed persons, e.g. those with small businesses and those who work free-lance.

National supplementary pensions

A person who has earned income from employment in excess of the "base amount" for at least three years and who has, accordingly, been credited with pensionable income, receives graduated, earnings-related benefits on top of his or her basic pension under the national supplementary pensions scheme.

Pensionable incomes are calculated for all insured persons between the ages of 16 and 64. Earnings in excess of 7.5 times the base amount are not counted as pensionable income. The "pension points" credited to earners of pensionable income are registered with the local social insurance office. Pension points are obtained by dividing a person's pensionable income for the year by the base amount in force that year.

The retirement pension under the supplementary pensions scheme amounts to 60 % of the average pensionable income earned in previous years. To receive a full pension a person must have earned pensionable income for at least 30 years. If he or she has not done so, the pension is reduced by 1/30 for every year of shortfall. Average income is calculated from the 15 years with the best earnings. The supplementary pensions scheme offers the same rights as the basic pension scheme in that a person may choose to take out his pension early or may postpone withdrawal.

Since 1982 parents who have looked after a child under the age of 3 and not earned any pension points during the year, may include that year in the points they accumulate for a future supplementary pension. They must notify the local social insurance office of such a child-care year within a year of its conclusion. Those who have received a pensionable income because they have been in receipt of parental benefit do not have to give notification. Although the child-care year does not increase a person's average pension points, it may mean that the number of years that are pensionable will ultimately come up to the 30 years necessary for a full supplementary pension.

In 1983 a total of 7 100 women and 100 men who had not earned pension points, could add qualifying "points years" for the care of a child.

A widow's pension is paid under the supplementary pensions scheme if the widow's deceased husband had qualified for pension rights under this scheme. A further requirement is for the couple to have children together or to have been married for five years, the marriage having taken place on or prior to the husband's 60th birthday.

A children's pension under the supplementary pensions scheme is paid to children under 19 on the death of one or both parents. If both parents die, a supplementary pension is only paid in respect of one of them (the highest amount).

Other social benefits

Child allowances, which are exempt from tax, are paid for all children from birth until the age of 16. The annual allowance (January 1986) is SEK 4 800 per child. Families with three or more children receive a child-allowance supplement. An extra SEK 2 400 is paid for the first three children and for each additional child a supplement of SEK 4 800. In special cases the child allowances may be extended for up to four years.

Those pursuing some form of labour-market training receive a training allowance. This consists of a daily allowance corresponding to the unemployment insurance payments (see below).

Work injuries insurance

Persons who incur illness or injury at work, or on the way to or from work, may claim indemnity under the work injuries insurance. This scheme covers all those gainfully employed, i.e. not only employees and temporaries (free-lances, etc.) but also the self-employed. Certain students are also covered.

Work injuries insurance pays out indemnity in cases of illness (sickness benefit), lasting impairment of working capacity (life annuity) and death (death benefit). The indemnity compensates for the income that is lost in consequence of the work injury. At normal pay levels the indemnity is meant to cover the whole income lost. All necessary medical expenses are also indemnified (allowances for medical expenses).

Unemployment insurance

People without jobs are primarily assisted by recognized unemployment benefit societies, which are usually organized by the trade unions.

Compensation from the unemployment benefit societies is taxed and qualifies for a supplementary pension. The daily benefit fixed by the society may come up to 91.7 % of an insured person's earned income. Benefits are paid for 300 days, a period which may be extended to 450 days for older people (aged 55-64).

Those who are not enrolled in any unemployment benefit society can receive a cash sum, labour-market assistance, which is a government benefit. This cash assistance provides some financial protection for newcomers on the labour market.

Employees who are laid off owing to lack of work, a disruption in production or similar causes are entitled to full pay and retain in addition other employment benefits during the period they are not in work. This compensation is financed by employers' contributions and government subsidies in the same way as the labour-market assistance.

The right to paid leave is regulated by the Annual Leave Act. It applies equally to private and public employees. According to the Act, employees are entitled to 25 days leave each year. The Act can be supplemented by collective agreements whereby certain groups of employees are granted more than 25 days.

Final remarks

At the beginning of the 1960s no more than one woman in three had a pensionable income. Since then women have entered the labour market and continue to do gainful work after they have had children; the proportion of women with a pensionable income has therefore gradually increased. In 1984 four out of five women had earned supplementary pension points as against nine out of ten men. The great majority of both women and men have consequently pensionable incomes. However, there is a great difference between the average pension points gained by women, 2.50, as against 3.81 for men in 1984. Only one out of a hundred women attain the statutory maximum pension points (6.50) as against one out of ten men.

Article 11

States Parties shall ... ensure ...

> 11.1 (f) The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.

As stated in Sweden's Initial Report on the measures taken to give effect to this sub-paragraph of the Convention (also mentioned under Article 4.2), the Work Environment Act, which entered into force on 1 July 1978, has not since 1983 contained any special provisions concerning women.

If, however, a certain type of work entails a special hazard for certain groups of employees, the National Board of Occupational Safety and Health can debar the employees concerned from that work, or it can make the work itself subject to certain conditions. This power can be exercised, for example, in the case of hazards during pregnancy, as in an Ordinance of February 1982, which stipulates medical examinations in connection with work involving the use of lead.

In June 1984, the Board issued a directive containing regulations concerning cytostatics, which entered into force on 1 January 1985. The regulations apply to work involving cytostatics in the health services and pharmacies. In accordance with these regulations female employees working with cytostatics are to be informed about the risks to the foetus involved in exposure to cytostatics. The regulations do not contain an actual prohibition against employing pregnant women in such work, since it was considered that if the regulations concerning protective equipment were observed, the levels would be so low that they do not present an obstacle to letting pregnant employees do such work.

The Board is now planning to present a directive prohibiting the employment of pregnant women in diving work. This means work carried out under water or under increased pressure in a pressure chamber, which sometimes occurs in for example the health-care sector.

Work with visual display units

During the last few years there has been intense debate in Sweden on the subject of visual display units (VDUs). The subject at issue has been whether or not human beings who have such work can be affected by disorders of the eyes, neck and shoulders, stress situations of various kinds, skin disorders and, in particular, whether they are subject to reproduction disturbances.

In view of the large number of people (mostly women) involved in this kind of work, high priority has been given to research on the health hazards and the ergonomic and organizational aspects of work with VDUs. The findings presented so far on reproduction disturbances, e.g. malformations and miscarriages, have not led to any definite conclusions as to whether pregnant women should be excluded from this kind of work.

In 1985, however, a collective agreement between the employers and employees in public administration was concluded, under which women working with VDUs could request alternative duties. Local agreements to the same effect have also been concluded by the respective parties in county councils, municipalities and many private companies.

The Government has, furthermore, introduced a scheme for voluntary environmental testing of VDU equipment. The aim is to make it easier for employees and unions to assess the properties of such equipment, thus facilitating the choice of VDUs which are believed to be conducive to a good work environment.

Sexual harassment

Increasing attention has been paid to the question of sexual harassment at work. The Equal Opportunities Act is not, however, directly applicable to sexual harassment. The Equal Opportunities Ombudsman has, nevertheless, received a number of reports about this problem. The Ombudsman has therefore instituted a study into sexual harassment at work. One of the objects of the study is to carry out an investigation, by industrial sectors, of workplaces where men tend to predominate. The result of the study will be presented in 1987.

Article 11

> 11.2 In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:
>
> 11.2 (a) To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;

As mentioned under Article 4.2, the Swedish Child-Care Leave Act includes provisions concerning security of employment. Pursuant to Section 10 of the Act dismissals on the grounds of child-care leave are prohibited.

Sections 10 and 11 of the Act read as follows (in its original Swedish wording this statute is neutral - it does not specify either the one or the other sex):

> ### Section 10
>
> An employee may not be dismissed from employment solely on the grounds of having availed himself, or sought to avail himself, of the right to leave of absence as provided by this Act.

> If an employee is nevertheless so dismissed, the dismissal shall be declared null and void if the employee so requests.
>
> Section 11
>
> An employee is not obliged, solely for the reason that he availed himself, or sought to avail himself, of the right to leave of absence in accordance with this Act, to suffer any reduction in the benefits connected with his employment or any deterioration in working conditions, except insofar as is implicit in the interruption in his work. Nor is an employee obliged to suffer any transfer, for the reasons stated above, other than such as may take place under the terms of his contract of employment and which is a necessary consequence of his taking leave of absence.

Section 12 of the Act contains provisions relating to physically arduous work:

> Section 12
>
> A female employee who, on account of her pregnancy, cannot perform physically arduous work, has the right to be transferred to a less arduous job while receiving the same benefits of employment. However, this is only the case from and including the sixtieth day before the estimated date of the birth of the child and provided that it can be reasonably demanded of the employer that he offers the female employee a different job.

The provisions of Section 11 of the Act are now under discussion in Sweden. The Equal Opportunities Ombudsman and others have pointed out that these provisions are not always complied with by employers, as a result of which employees are sometimes transferred or suffer a deterioration in conditions of employment after having availed themselves of the right to leave of absence for child care. The question is at present being studied by the Government.

Article 11

States Parties shall ... ensure ...

> 11.2 (b) To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;

Reference should be made to Article 4.2 and 11.2, sub-paragraph (a).

Article 11

States Parties shall ... ensure ...

> 11.2 (c) To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities;

State child-care facilities in Sweden include the pre-school system and after-school recreational activities for children in their early years of compulsory schooling. The aim of these is to provide children with a good, secure growth environment. They are also designed to give both men and women equal opportunities to combine gainful employment with family life.

Child-care facilities in Sweden are the responsibility of the local authorities and are generally located in residential districts. They are financed by local tax revenue, parents' fees and state subsidies paid out of payroll tax.

Day nurseries at workplaces are rare. It is considered important that pre-schools are located in the neighbourhood where the children live so as to eliminate the need for long journeys. It is also considered that day nurseries at workplaces would make employees too dependent on a specific employer for the provision of child care.

The state child-care facilities are subject to the Social Services Act, which entered into force on 1 January 1982, superseding the Child Care Act of 1977. The facilities are supervised by the county administrative boards and by the National Board of Health and Welfare. The latter government agency is also responsible for stimulating pedagogical and social development in this field.

Under the Social Services Act pre-schools may be organized in the form of day nurseries or part-time playgroups. The main difference is the length of time children spend there. When a child is present for at least four hours a day the facility is regarded as a day nursery. There is an increasing tendency towards merging the two types into a single pre-school.

According to a survey of children from 0-6 years of age conducted by Statistics Sweden at the beginning of 1986, about 50 000 children (8 %) were in private child care paid for by the parents, about 19 000 (3 %) were cared for in other ways (mainly by relatives), while 251 000 (39 %) had one parent or guardian at home all the time. In the latter instance the parents might, for instance, take it in turns to work or to care for the children. Of these 251 000 children, 20 000 had a parent or guardian who was herself/himself employed by the local authority as a child-minder or who worked in the same capacity on a private basis. According to the same survey, 445 000 (69 %) of the children in the local authority child-care facilities had parents or guardians who were gainfully employed or studying.

There was a further demand for child care for 75 000 children, of whom 41 000 had applied for day nursery places and 33 000 for family day nurseries. In 1986, the total number of children aged 0-6 was 643 300.

The number of day nursery places available at the end of 1986 was 183 000, which means that 29 % of all children aged 0-6 had such places. In addition, 114 000 children of pre-school age (18 %) were cared for in family day nurseries. The remaining 49 000 places in family day nurseries were occupied by children of school age.

To meet the great demand for child care, and acting on the assumption that child care provides a stimulus and promotes children's development, the Government presented a Bill in May 1985, entitling all pre-school children aged 18 months to 6 years to local authority child-care services. The demand for child care is to be fully met by 1991. The facilities are to be expanded on the basis of annual surveys of the demand.

Under the Bill all children whose parents are gainfully employed or studying will qualify for admission to local authority day nurseries, parental cooperatives or family day nurseries. The Bill lays down that all pre-school children have a right to take part in activities which contain some element of educational instruction. The aim of the latter is to provide children with a good and, as far as possible, an equal start in life. Children whose parents are employed in the home or who are in family day nurseries will be entitled to attend open pre-school or part-time playgroups. This means that all children, regardless of whether their parents are gainfully employed or studying or working in the home, and regardless of whether they live in rural or urban communities, will be able to benefit from the stimulus provided by meeting other children and other adults.

Article 11

States Parties shall ... ensure ...

> 11.2 (d) To provide special protection to women during pregnancy in types of work proved to be harmful to them.

Reference should be made to Article 11.1, sub-paragraph (f), and Article 11.2, sub-paragraph (a).

Article 11

> 11.3 Protective legislation relating to matters covered in this article shall be reviewed periodically in the light of scientific and technological knowledge and shall be revised, repealed or extended as necessary.

As mentioned under Article 11.2, sub-paragraph (f), the revision of provisions of this kind is the task of the National Board of Occupational Safety and Health.

Article 12

12.1 States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning.

12.2 Notwithstanding the provisions of paragraph 1 of this article, States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.

Health care and medical services are an important sector of Swedish welfare. The fundamental principle is that everybody should be given equal treatment and care irrespective of his or her economic, social or health circumstances. For purposes of health care Sweden is divided into 26 regional units. Expenditure on the national health and medical services is about SEK 70 000 million per year, which is almost 10 % of GDP.

The social security system has already been described under Article 11.1, sub-paragraph (e).

Family planning in Sweden is based on the principle that women themselves must be allowed to decide whether and when and how many children they want to have. Therefore guidance on contraception is provided throughout the country on a large scale.

Health care for mothers and children in Sweden has been free of charge since the 1970s and almost everybody takes advantage of this. The same goes for obstetric care.

All expectant mothers are offered regular health checks by a midwife and physician under the maternity care system. Health checks and assessments of pregnancy risks follow a basic programme which can be varied to provide more frequent or additional examinations. The basic programme comprises a series of visits to a midwife by the expectant mother or prospective parents. These are followed by an after-care visit, which should be made by both parents. If the course of the pregnancy is normal and there are no complications, two medical consultations take place: one at the commencement of pregnancy and the second a month or so before the anticipated date of confinement.

The maternity care centres also offer various forms of preparation for childbirth, e.g. courses of psychoprophylaxis (breathing and relaxation exercises). Here again, prospective fathers are also welcome to attend. Many fathers nowadays avail themselves of this opportunity, although no statistics exist.

The father is usually present at the birth of the child to give support to the mother and to enable both parents to share the experience of their child being born.

Restrictions concerning abortion were abolished in 1975, and this may now generally be carried out up to the 18th week of pregnancy. Women have a statutory right to decide whether or not they wish to terminate pregnancy. An abortion between the 12th and 18th weeks of pregnancy is, however, subject to a special social case-work investigation.

There were 30 838 legal abortions carried out in Sweden in 1985. This figure has remained more or less constant in the 1980s.

Abortions among women over 30 years of age have increased in number over the last ten years, while the number of teenage abortions has decreased.

Article 13

> States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular;
>
> 13 (a) The right to family benefits;
>
> 13 (b) The right to bank loans, mortgages and other forms of financial credit;

The most important financial social benefit in Sweden is the child allowance, as described under Article 11.1, sub-paragraph (e).

Families with children who either have a low income or a low standard of consumption due to heavy support obligations are eligible for means-tested housing allowances. These vary according to income, the number of children and the cost of housing.

Housing allowances and other income-related benefits are based on a family's combined income. The same applies to day-nursery charges. In the Swedish progressive tax system, on the other hand, each individual is taxed separately. This individual taxation reform, which was introduced in 1971, has had a crucial effect on employment opportunities for women.

The tax system contains one concession of interest to families with children, a specific tax reduction.

This is a reduction of the tax payable, which is made in the case of married couples where one of the spouses has no income, or only has a very low income, and also for single parents who have children under the age of 18 living at home. The maximum reduction is SEK 1 800.

As regards bank loans, mortgage loans and other types of credit, there is no difference from a legal point of view between men and women. This right is based on the principle of Swedish law according to which men and women are treated equally with respect to rights of property.

In the case of married couples, however, if either of the spouses wishes to pledge his or her real property the other must give his or her consent, unless other prior arrangements have been made. This restricts the right to the personal disposal of one's property as a security for loans, but the rule applies equally to both spouses.

Article 13

States Parties shall ... ensure ...

> 13 (c) The right to participate in recreational activities, sports and all aspects of cultural life.

The opportunity to participate in recreational activities and other aspects of cultural life is related to matters like a person's total working week, his or her level of education and the traditions which prevail in society. All in all, our society offers a wide range of recreational activities, such as open-air activities, study circles, sports and cultural events. However, the range varies greatly from place to place. The big city regions have on the whole a considerably greater range of organized recreational activities than sparsely populated areas. As regards sports, the choice of typically male activities is greater and more varied than in the case of those with predominantly female participants.

As has already been mentioned, the workload of women is greater on average than that of men, as they carry the chief responsibility for children and the household. Yet the difference between the time spent by men and by women in recreational activities is not great according to the available statistics. No major study has yet been conducted in Sweden of the way in which women and men spend their time. An experimental study is, however, in progress, and will be presented in 1987. But it is clear that there is a great difference between the sexes as regards the way they spend their time, and that the total amount of time spent on unpaid work in the home is as great as the time spent in gainful employment.

The differences with respect to open-air activities and exercise are basically that men devote more of their time to outdoor sports and fishing, while women spend more time going for walks. The main differences in cultural activities are that women read more books and magazines, while men spend more time on sporting events and the cinema. Men also read more evening papers and specialized magazines than women.

There are substantial differences between the sexes as regards participation in sports. Women predominate in sports like gymnastics and riding, while more or less all other sports are dominated by men. The number of female participants in sports has increased in the last decade. However, only about 10 % of those holding higher positions in national sports associations are women.

Article 14

14.1 States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of this present Convention to women in rural areas.

14.2 States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right:

The following comments refer to Article 14 in its entirety.

As a general principle, all education, health family planning and social security policies in Sweden, as well as the Equal Opportunities Act, apply equally to women in rural and urban areas.

In recognition of the different needs and conditions that exist in the sparsely populated areas of Sweden, Parliament declared in legislation in 1985 regarding regional policy that these areas - in view of their wealth of resources and their environmental values - are an asset to Sweden's economy and that by a better utilization of their productive resources, these areas can help to strengthen Sweden's economy and solve serious problems such as unemployment.

Parliament recommends a continuing offensive policy targeted at the development of these areas. The goal should be to create prospering areas with job opportunities, good service facilities and a satisfactory environment.

Sweden's sparsely populated areas are characterized by scattered dwellings remote from jobs and service facilities. Long distances lead to problems of accessibility. Industry and commerce are usually based on primary industries (forestry, agriculture and fisheries), which have shown a decline in employment figures for a number of years. Other significant problems in these areas are the decline in population, difficulties for women to find jobs and the difficulty of recruiting highly qualified and specialized staff. Local authorities, county administrative boards, the Commission for Sparsely Populated Areas and other bodies have initiated local development projects and specific programmes in these areas. Some of these projects primarily concern women.

Within the framework of the programmes to improve conditions for women in the labour market, which were described earlier, the Ministry of Labour has instituted special projects for women in rural areas, such as measures to stimulate an interest in female co-operatives. Money has been allocated to the regional development funds for training projects for women who wish to start their own businesses.

The National Board of Agriculture and the county agricultural boards provide special courses for female participants only, e.g. in cultivation, milk production, maintenance of machinery, tractor driving and economics.

Lastly, it may be mentioned that the percentage of women admitted to the Swedish University of Agricultural Sciences in autumn, 1985, was for agricultural sciences 48 % (total number of students admitted 130), for horticulture 60 % (25), for forestry studies 23 % (60), for landscape architecture 61 % (31) and for veterinary medicine 72 % (66).

PART IV

Article 15

15.1 States Parties shall accord to women equality with men before the law.

As has been described earlier in this report, women and men in Sweden have formally the same rights in all respects. Reference should also be made to the comments under Article 2 of this Convention.

Article 15

15.2 States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in courts and tribunals.

15.3 States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.

Women have the same legal capacity as men in civil law and are not given special treatment in courts. See Article 6 on the question of a counsel for the plaintiff in certain cases. Reference is also made to the brief historical background provided in the Introduction to this report.

Article 15

15.4 States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.

Every Swedish citizen is guaranteed the right of freedom of movement within the country under the Swedish Constitution.

Article 16

16.1 States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women;

16.1 (a) The same right to enter into marriage;

16.1 (b) The same right freely to choose a spouse and to enter into marriage only with their free and full consent;

16.1 (c) The same rights and responsibilities during marriage and at its dissolution;

The basic provisions concerning the family are contained in the Marriage Code of 1920, the Code relating to Parents, Guardians and Children of 1949 and the Code of Succession and Inheritance of 1958. The Marriage Code contains provisions relating to entering into marriage, the rights and obligations of spouses, their property and the dissolution of marriages.

The social-security legislation concerning the family has been described earlier in this report.

Marriage

Marriage is still the most common way of forming a family in Sweden. About 80 % of all cohabiting couples are married. A marriage must be entered into with the free consent of the intending parties. The parties must have attained the age of 18. Exemption from this age condition can be granted by the county administrative boards. Bigamy is prohibited. Since 1979 there have been no changes of significance in the legislation relating to entering into marriage, the rights and obligations of spouses and the dissolution of marriages. Some changes are, however, about to be made, and these will be described below.

There is no particular legislation relating to marriages of brief duration in Sweden. When financial settlement is made on divorce, however, account is taken of the length of the marriage to the extent that the basic principle of the equal division of the spouses' property may be waived. This is to make it impossible to enter into marriage with the intention of dissolving the same as soon as possible thereafter with a considerable increase in wealth at the expense of the other spouse. As regards the length of marriages in general, statistics show that the divorce rate diminishes the longer a marriage lasts. Of the 20 601 divorces granted in 1984 the relation between the number of marriages and their duration was as follows: 5 395 (0-4 years), 4 220 (5-9), 2 799 (10-14), 3 443 (15-19), 2 425 (20-24), 1 231 (25-29), 584 (30-34) and 502 (35 or more years).

Dissolution of marriage shall be preceded by a period of consideration if the spouses so request or if they have children under the age of 16. This period is to be at least 6 months.

Cohabitation

There has been a clear tendency in the last decade or so for men and women to cohabit, whether or not they have children, without being married.

In 1984, 21 % of cohabiting couples aged 16-74 were not married. The corresponding figures for 1975 and 1980 were 13 % and 18 % respectively.

The current provisions of the Marriage Code are not applicable to cohabitees. Thus at present there are no special provisions relating to their property or their obligations to each other. Consequently, if such a couple wishes to separate, no special legislation exists for such a situation. However, there is one statute, the Act on Housing of Unmarried Couples Living Together (1973), which stipulates which of the parties shall have the right to an apartment that they have rented during the time they have lived together.

As far as the social welfare system is concerned, a cohabiting couple generally has the same rights as a married couple, and the same applies to tax legislation. There is, however, a difference in their legal status in the case of the decease of one of the parties. The surviving cohabiting party has no right to the property of the deceased as is the case with a surviving spouse. Despite the fact that there is no legislation defining the term "cohabiting couple", a couple is considered to be cohabiting when living in a relationship comparable to marriage. Nor is the term "family" in fact defined in Swedish legislation. In Sweden a family is formed when two people live together in a permanent relationship, irrespective of whether they are married or not married. A single parent with a child is also regarded as a family in Sweden.

New Marriage Code

A draft Bill concerning a new Marriage Code has recently been presented to the Swedish Parliament. The Bill includes changes in the Code of Succession and Inheritance and separate draft legislation concerning the property of cohabiting couples. If the Bill is enacted by Parliament, the new provisions will enter into force on 1 January 1988.

The changes proposed in the new Marriage Code mainly concern matrimonial property and the provisions concerning the division of property following divorce or death. The main principles of the present Marriage Code are retained in the proposed new Code. However, there are modifications, especially in the provisions concerning the division of property, the purpose of which is to achieve greater equality between a financially stronger and a financially weaker spouse on divorce.

The present principles that each spouse owns his or her own property during marriage and that their combined property is divided equally on divorce are retained. However, there will be a possibility of adjusting the division of property in cases where the result would otherwise be inequitable. A spouse whose financial status is weaker may thus be given a larger share under the new provisions. An extension is also proposed of the possibility of an adjustment following the dissolution of a marriage of brief duration, since the equal division of property might in such a case be inequitable. It will continue to be possible, either at the time of entering into marriage or later, to conclude an agreement in the form of a special instrument (a deed of marriage settlement) stipulating that certain property is not to be included in the division. New provisions will make it possible for such property to be subject to division nevertheless, either by agreement between the spouses or by a special procedure for adjustment of the marriage settlement. This will be of particular importance in cases where one of the spouses owns nearly all the property and this is excluded from division. The provisions will no longer allow such property to accrue to its owner while the other spouse is left with little or no property.

The amendments to the Code of Succession and Inheritance under this Bill will strengthen the surviving spouse's right to the estate.

The consequence of these proposed amendments will be that a spouse will be entitled to inherit before the children of the marriage or their children's children. The children will thus have to await the decease of their parents before coming into their inheritance. However, the children of the spouse who dies first will be entitled to their inheritance immediately on their parent's decease if the surviving spouse is not also their parent.

Legislation on Cohabitation

The Bill also contains provisions concerning the property of cohabiting couples. By this Bill the parties will, on termination of their cohabitation, have the right to divide the property used by both of them in the home where they have been living. As in the case of married couples, departures can be made from the equal division rule, however, if this would be inequitable. Cohabiting parties who wish to keep their finances separate may conclude an agreement whereby the provisions concerning division of property shall not be applicable.

A cohabiting party may also be entitled to take over the other party's apartment and furniture, on basically the same lines as apply to married couples.

Article 16

States Parties ... ensure ...

> 16.1 (d) The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;
>
> 16.1 (e) The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;

The Marriage Code establishes parents' joint responsibility for their children.

The Code relating to Parents, Guardians and Children of 1949 deals with questions concerning paternity, adoption, custody, maintenance, guardianship etc.

70 % of all children born in Sweden live together with both their parents. About 15 % live with one of their parents and 15 % live with one of their parents and another adult.

About 40 % of all children are born to unmarried mothers. Only a few of these women live alone, however. Most of them cohabit with the child's father.

Custody

As mentioned above, the Code relating to Parents, Guardians and Children of 1949 contains provisions relating to custody. Proposals by the Commission on Children's Rights led to some amendments in the legislation in 1983. The new provisions further underline the fact that custody of children is the joint responsibility of both parents, irrespective of the relationship between them. Even if the parents become divorced, the rule is that the parents continue to have joint custody, i.e. the same legal responsibility. The children may, however, live with only one of the parents. The question of granting custody to one of the parents alone is only considered by a court if the parents cannot agree on joint custody or the court finds that joint custody is not in the child's best interests.

If a mother is unmarried at the time of the birth of her child, she still automatically becomes the sole guardian of the child. However, the amendments made in 1983 have made it easier for unmarried parents to obtain joint custody. Up to 1983 it was necessary to get a court decision. Unmarried parents can now obtain joint custody by registering at a civil registration office.

The 1983 amendments have also affected the possibility of transferring the custody of a child from its biological parents to foster parents. In certain cases such transfers have been made easier. This applies when a child has been cared for and brought up in a foster home for a length of time and it is obviously best for the child that it should continue to be cared for by its foster parents.

The new provisions relating to custody emphasize that it is the responsibility of the child's guardian, if he or she is the sole guardian, to make the best possible arrangements to enable the parent who does not have custody, as well as any other person who is particularly close to the child, to have access to the child. The latter category, including grandparents, foster parents etc, did not have any statutory right of access prior to 1983.

An action for the purpose of gaining access may be brought by the parent who is not the child's guardian or by the local social welfare committee in cases where access is sought by a person other than a parent. Social welfare committees are only to bring actions that are well-founded and in a child's best interests.

The Commission on Children's Rights is now working on other issues, such as how to strengthen the position of children in legal proceedings.

Maintenance

Parents who do not live with their child(ren) are required to pay maintenance in proportion to their financial resources. The parent who has custody of the child receives the maintenance payments on its behalf. The parents themselves may decide on the amount of maintenance but, if they cannot agree, this may also be determined by a court.

Some parents neglect to pay maintenance for their children, or pay insufficient amounts. In such cases maintenance advances are paid under the social security system to the parent who has custody of the child.

As of 1 January 1985, a single parent with an adopted child is also entitled to a benefit corresponding to the maintenance advance.

Article 16

States Parties ... ensure ...

> 16.1 (f) The same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be paramount;

As mentioned above, the Code relating to Parents, Guardians and Children contains provisions relating to adoption. In accordance with these provisions, a man or woman who has attained the age of 25 can adopt one or more children.

Adoption matters are decided by courts of general jurisdiction. The same principles apply to single applicants for adoption as to married couples. It is also a requirement that adoption is for the benefit of the child and that an adoptive parent has brought up, or wishes to bring up, the child, or that there is special reason for adoption due to the personal relationship between the adoptive parent and the child. No payment may be made in conjunction with adoption. The consent of the child is required in principle if it has attained the age of 12, as well as that of its biological parents. The court is to request a report from a social welfare committee on the suitability of adoption.

Article 16

States Parties ... ensure ...

> 16.1 (g) The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation;

The new statute on surnames and forenames, the Names Act, which entered into force in 1983, was described in Sweden's Initial Report on the measures taken to give effect to this Convention.

No statistics are available on what use has been made of the Names Act. The general view among the authorities concerned is, however, that relatively few people have taken advantage of the opportunity to adopt the wife's name when marriage is entered into. This seems to be done mainly in cases where the wife's name is a less common one than the husband's. In the big cities it is becoming increasingly common for the wife to keep her maiden name, often in addition to that of her husband.

Article 16

States Parties ... ensure ...

> 16.1 (h) The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration.

The Marriage Code contains provisions relating to spouses property. There are no differences between the spouses in this respect. In the Bill concerning a new Marriage Code, which was described under sub-paragraphs (a)-(c), it is established that spouses are entitled to do what they like with their own property and are responsible for their debts as separate individuals.

Article 16

States Parties ... ensure ...

> 16.2 The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.

Noone under the age of 18 can enter into marriage without special permission from a county administrative board. A person who solemnizes a marriage in church shall give the spouses a certificate to that effect. In the case of civil marriages a special record is to be kept in accordance with regulations issued by the Government.